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TIGARD CITY COUNCIL  
MEETING

MARCH 25, 2003 6:30 p.m.

TIGARD CITY HALL  
13125 SW HALL BLVD  
TIGARD, OR 97223



PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Visitor's Agenda items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A  
TIGARD CITY COUNCIL MEETING  
MARCH 25, 2003

6:30 PM

- STUDY SESSION

- > TUALATIN VALLEY TELEVISION INTRODUCTION
- > DISCUSSION ON FLUORIDATION IN DRINKING WATER
- > BRIEFING ON QWEST/VERIZON FRANCHISE FEE AUDIT  
(See item #7 during the business meeting for materials)

- EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

7:30 PM

1. BUSINESS MEETING

- 1.1 Call to Order - City Council & Local Contract Review Board
- 1.2 Roll Call
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports
- 1.5 Call to Council and Staff for Non-Agenda Items

2. PROCLAMATIONS

- 2.1 Proclaim April 21 to 27, 2003 as National Community Development Week

3. VISITOR'S AGENDA (Two Minutes or Less, Please)

4. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:
  - 4.1 Approve Intergovernmental Agreement with Washington County Regarding the West Nile Virus Response Plan
    - *Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.*
5. DISCUSSION CONCERNING COMMUNITY OUTREACH MEETINGS
  - a. Staff Report: Police Staff
  - b. Council Discussion
6. DISCUSSION WITH STATE SENATOR GINNY BURDICK AND STATE REPRESENTATIVE MAX WILLIAMS
  - a. Comments by Senator Burdick and Representative Williams
  - b. Council Discussion
7. UPDATE ON THE QWEST/VERIZON FRANCHISE FEE AUDIT
  - a. Staff Report: Finance Staff
  - b. Council Discussion
8. CONSIDER A RESOLUTION GRANTING A PROPERTY TAX EXEMPTION FOR THREE NON-PROFIT, LOW-INCOME HOUSING PROJECTS
  - a. Staff Report: Finance Staff
  - b. Council Discussion
  - c. Council Consideration: Resolution No. 03 - \_\_\_\_\_
9. CONSIDER A RESOLUTION ACCEPTING AND ENDORSING THE COMMUTER RAIL STATION DESIGN RECOMMENDATIONS FROM THE DOWNTOWN TASK FORCE
  - a. Staff Report: Community Development Staff

- b. Council Discussion
- c. Council Consideration: Resolution No. 03 - \_\_\_\_\_

10. COUNCIL LIAISON REPORTS

11. NON AGENDA ITEMS

12. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

13. ADJOURNMENT

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AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF March 25, 2003

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Tualatin Valley Television (TVTV) Introduction

PREPARED BY: Greer Gaston DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

ISSUE BEFORE THE COUNCIL

Listen to a presentation from Tualatin Valley Television Executive Director Marci Hosier.

STAFF RECOMMENDATION

Informational item, no Council action required.

INFORMATION SUMMARY

Executive Director Marci Hosier will introduce herself, discuss the services Tualatin Valley Television provides, and describe how her organization benefits the Tigard community.

OTHER ALTERNATIVES CONSIDERED

Not applicable.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Communication Goal #1, Action Committee Strategy: "Improve communication about all aspects of the city's business" and Action Committee Strategy: "Encourage public participation through accessibility and education."

ATTACHMENT LIST

None.

FISCAL NOTES

Not applicable.

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Discussion on Fluoridation in Drinking Water Facing Tigard

PREPARED BY: Dennis Koellermeier DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

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ISSUE BEFORE THE COUNCIL

Discussion on the drinking water fluoridation issues that will be facing Tigard.

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STAFF RECOMMENDATION

Staff will be making a presentation on the drinking water fluoridation issue that Tigard will need to address.

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INFORMATION SUMMARY

The City currently has an agreement with the City of Beaverton to receive 4 million gallons a day (mgd) of drinking water from the Joint Water Commission (JWC) through the City of Beaverton. The City of Beaverton has indicated that it will begin fluoridating its drinking water supply by January of 2004.

An information packet was provided the latter part of February in regards to this issue. The packet included the following:

- Memorandum from Ed Wegner, Public Works Director dated February 24, 2003
- Memorandum from Murray Smith and Associates dated February 13, 2003 w/attachments
- American Water Works Association article entitled "Water Fluoridation Principles and Practices".

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OTHER ALTERNATIVES CONSIDERED

1. Do not accept fluoridated water from City of Beaverton
2. Treat water received from the City of Beaverton to remove fluoride
3. Accept fluoridated water from the City of Beaverton

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VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Urban and Public Services chapter of "Tigard Beyond Tomorrow" has a goal, which states "actively participate in a regional development of drinking water sources"

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ATTACHMENT LIST

N/A

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FISCAL NOTES

N/A

# PROCLAMATION

## National Community Development Week April 21 - 27, 2003

WHEREAS, the Community Development Block Grant (CDBG) Program has operated since 1974 to provide local governments with the resources required to meet the needs of persons of low and moderate income; and

WHEREAS, Community Development Block Grant funds are used by a vast number of cities, counties and neighborhood-based nonprofit organizations throughout the Nation to address pressing neighborhood and human service needs; and

WHEREAS, the City of Tigard, Oregon and other local governments have clearly demonstrated the capacity to administer and customize the CDBG program to identify and resolve pressing local problems, such as affordable housing, neighborhood and human service needs, flood relief, job creation and retention, and physical redevelopment; and

WHEREAS, the week of April 21 - 27, 2003 has been reserved for recognition and appreciation of the Community Development Block Grant Program.

NOW THEREFORE BE IT RESOLVED THAT I, Mayor James Griffith of the City of Tigard, Oregon, do hereby proclaim the week of April 21 - 27, 2003 as

### COMMUNITY DEVELOPMENT WEEK

in Tigard, Oregon and call upon all citizens of our city to join in recognizing the Community Development Block Grant Program and its importance to our community.

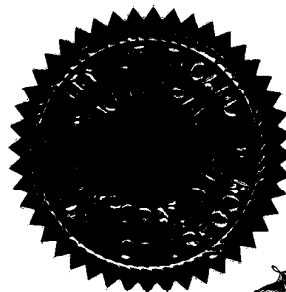
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Tigard to be affixed.

\_\_\_\_\_  
James Griffith, Mayor  
City of Tigard

Attest:

\_\_\_\_\_  
City Recorder



AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF March 25, 2003

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Approval of Intergovernmental Agreement with Washington County to Coordinate and Define Roles Relating to the West Nile Virus Response Plan

PREPARED BY: Dennis Koellermeier DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

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ISSUE BEFORE THE COUNCIL

Consider and approve the Intergovernmental Agreement with Washington County to coordinate and define the roles relating to meeting the goals of the State Health Services West Nile Virus Response Plan.

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STAFF RECOMMENDATION

Staff recommends entering into the attached IGA with Washington County due to the fact that the County's Health and Human Services Division are better equipped to deal with this issue.

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INFORMATION SUMMARY

Washington County, through their Health and Human Services Department, has been tracking the spread of the West Nile Virus. In the event that West Nile Virus is found among mosquitoes, horse, bird or human populations, the County is prepared to respond. Integrated mosquito management includes education, source reduction, insecticide application and surveillance

The County's responsibility with the IGA includes:

- Coordination of efforts to meet the goals of the State Health Service's West Nile Virus (WNV) Response Plan
- Coordinate public education related to matters of public health and human behavior throughout Washington County
- Work with State and local organizations to survey and track human, equine and avian cases of WNV
- County will employ an entomologist to design/develop sampling program and train local agencies and their staff on sampling process
- County will develop a complaint log, train appropriate staff and partners, maintain a database mapping complaints and surveillance findings.

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OTHER ALTERNATIVES CONSIDERED

1. Ignore this issue
2. Forego the cooperative approach offered by Washington County and organize, plan and fund this project at the City level.



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VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

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ATTACHMENT LIST

1. Intergovernmental agreement w/ Attachment “A”
2. Oregon Department of Human Services Fact Sheet
3. Map

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FISCAL NOTES

At this time it appears that a minimal amount of staff time, along with normal scheduled maintenance activities that are already anticipated will be the extent of the City’s cost. Should this issue escalate to where additional actions are necessary the Council will be briefed on the issue. The parties agree that there will be no compensation paid to the other, and that each party shall bear their own costs.

## INTERGOVERNMENTAL AGREEMENT

This Agreement is entered into, by and between Washington County, a political subdivision of the State of Oregon, and City of Tigard.

WHEREAS ORS 190.010 authorizes the parties to enter into this Agreement for the performance of any or all functions and activities that a party to the Agreement has authority to perform.

Now, therefore, the parties agree as follows:

- 1) The effective date is: 03/01/03, or upon final signature, whichever is later.  
  
The expiration date is: 12/31/03, which shall be automatically renewed until 12/31/04; unless otherwise amended.
- 2) The parties agree to the terms and conditions set forth in Attachment A, which is incorporated herein, and describes the responsibilities of the parties, including compensation, if any.
- 3) Each party shall comply with all applicable federal, state and local laws; and rules and regulations on non-discrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition or handicap.
- 4) To the extent applicable, the provisions of ORS 279.312, 279.313, 279.314, 279.316, 279.320 and 279.334 are incorporated by this reference as though fully set forth.
- 5) Each party is an independent contractor with regard to each other party(s) and agrees that the performing party has no control over the work and the manner in which it is performed. No party is an agent or employee of any other.
- 6) No party or its employees is entitled to participate in a pension plan, insurance, bonus, or similar benefits provided by any other party.
- 7) This Agreement may be terminated, with or without cause and at any time, by a party by providing 180 days (30 if not otherwise marked) days written notice of intent to the other party(s).
- 8) Modifications to this Agreement are valid only if made in writing and signed by all parties.
- 9) Subject to the limitations of liability for public bodies set forth in the Oregon Tort Claims Act, ORS 30.260 to 30.300, and the Oregon Constitution, each party agrees to hold harmless, defend, and indemnify each other, including its officers, agents, and employees, against all claims, demands, actions and suits (including all attorney fees and costs) arising from the indemnitor's performance of this Agreement where the loss or claim is attributable to the negligent acts or omissions of that party.
- 10) Each party shall give the other immediate written notice of any action or suit filed or any claim made against that party that may result in litigation in any way related to this Agreement.

- 11) Each party agrees to maintain insurance levels or self-insurance in accordance with ORS 30.282, for the duration of this Agreement at levels necessary to protect against public body liability as specified in ORS 30.270.
- 12) Each party agrees to comply with all local, state and federal ordinances, statutes, laws and regulations that are applicable to the services provided under this Agreement.
- 13) This Agreement is expressly subject to the debt limitation of Oregon Counties set forth in Article XI, Section 10 of the Oregon Constitution, and is contingent upon funds being appropriated therefor.
- 14) This writing is intended both as the final expression of the Agreement between the parties with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement.

WHEREAS, all the aforementioned is hereby agreed upon by the parties and executed by the duly authorized signatures below.

\_\_\_\_\_  
Jurisdiction

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

Address: \_\_\_\_\_

**WASHINGTON COUNTY:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

Address: \_\_\_\_\_

Mail Stop # \_\_\_\_  
Hillsboro, OR

# **ATTACHMENT A**

## **Statement of Work /Schedule/Payment Terms**

### **COUNTY'S RESPONSIBILITIES**

1. County shall coordinate efforts to meet the goals of the State Health Service's West Nile Virus (WNV) response plan.
2. County shall coordinate public education related to matters of public health and human behavior throughout Washington County.
3. County shall work with state and local health, veterinarian, agricultural, and wildlife organizations to survey and track human, equine, and avian cases of WNV. County shall alert those subject to this Intergovernmental Agreement of confirmed cases.
4. County shall employ an entomologist to design/develop sampling program, train Clean Water Services and Local Jurisdictions (Cities) staff on sampling process, process mosquito larva, and collect and process adult samples.
5. County shall develop a complaint log, train appropriate staff and partners, maintain a database mapping complaints and surveillance findings.

### **LOCAL JURISDICTION RESPONSIBILITIES**

1. Local Jurisdiction shall utilize and distribute public education materials provided by the County and CWS, in order to maintain a consistent regional communication strategy.
2. Local Jurisdiction shall report mosquito complaints to the County.
3. Local jurisdictions shall work with county-contracted entomologist to design/develop and conduct a regional water sampling regime that will include representative catch basins, storm water facilities, and natural wetlands throughout areas within their boundaries throughout the mosquito season (March thru October).
4. Local jurisdictions shall deliver water/larva samples to County entomologist for processing and tracking.
5. Local Jurisdiction shall actively educate neighborhood associations, community participation organizations, and other citizen groups, and encourage private property source reduction efforts and other personal behaviors that will reduce risk of exposure.
6. Local Jurisdiction shall maintain catch basins and storm water facilities to limit the presence of standing water and decaying organic debris (particularly dead cattails and grass clippings). Local Jurisdiction shall install habitat features as appropriate to promote amphibian, bird, and predatory insect (dragonfly) populations that feed on mosquito larva.
7. Local Jurisdiction shall implement mosquito control tasks based on public health risk as determined by the County.

The parties agree that there will be no compensation paid to the other, that each shall bear their own costs and that the reasonable and good consideration exists to form this agreement.



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Oregon Department of Human Services  
Acute & communicable disease

[DHS home](#) | [Public Health](#) | [Acute & Communicable Disease](#) | [Diseases](#)

## West Nile Virus

West Nile virus is carried by mosquitoes and can infect humans, horses, and birds. Most infections are mild, with fever and flu-like symptoms, but more severe infections may cause encephalitis (inflammation of the brain), and rarely, death.

Oregon West Nile Virus  
Information Line  
Toll-free 866-703-7636  
(866-703-INFO)

Multnomah County  
Information Line  
503-988-6453  
(503-988-NILE)

### Press Release

March 7, 2003  
State launches  
West Nile virus  
public information line

March 4, 2003  
West Nile Virus has  
killed more than  
260 Americans but  
the best response  
is caution, not panic

October 2, 2002  
Washington bird  
tests positive  
for West Nile;  
Oregon is preparing

September 6, 2002  
West Nile illness  
in Oregon;  
infection occurred  
in another state



August 22, 2002  
Vol. 51, No. 18  
West Nile Virus  
Moving Wester  
(PDF) (20K)

- Oregon West Nile virus toll-free information line (English and Spanish): 866-703-7636 (866-703-INFO)
- Multnomah County West Nile virus information line (multiple languages): 503-988-NILE
- Our fact sheet answers some common questions about West Nile virus.
- Download our mosquito problem prevention poster, brochure, or door-knocker notice (West Nile virus: what you should know) or follow other internet links about West Nile virus

Oregon Health Services is conducting surveillance activities for mosquito-borne encephalitis. Physicians, diagnostic laboratories, and other health-care providers are asked to participate by identifying and reporting potential cases for laboratory testing.

**NEW!** Bird and animal testing has ended for 2002. Information about testing in 2003 will be available soon.

## Oregon Health Services Links

- "Take the Bite Out of Summer" Poster (PDF) (153K)

- [West Nile Virus Brochure \(PDF\)](#) (552K)
- [West Nile Virus— What you should know \(English and Spanish door-knocker notice\) \(PDF\)](#) (65K)
- [Oregon Mosquito-borne Disease Response Plan \(PDF\)](#) 76pp (4955K)
- [Information for health-care providers \(PDF\)](#) (180K)
- [Information for veterinarians \(PDF\)](#) (62K)
- [Patient specimen submission procedures. \(PDF\)](#) (152K)
- [Bird specimen submission procedures. \(PDF\)](#) (108K)
- [Tips for proper protection when using DEET insect repellent](#)

### Exit Links [EXIT >](#)

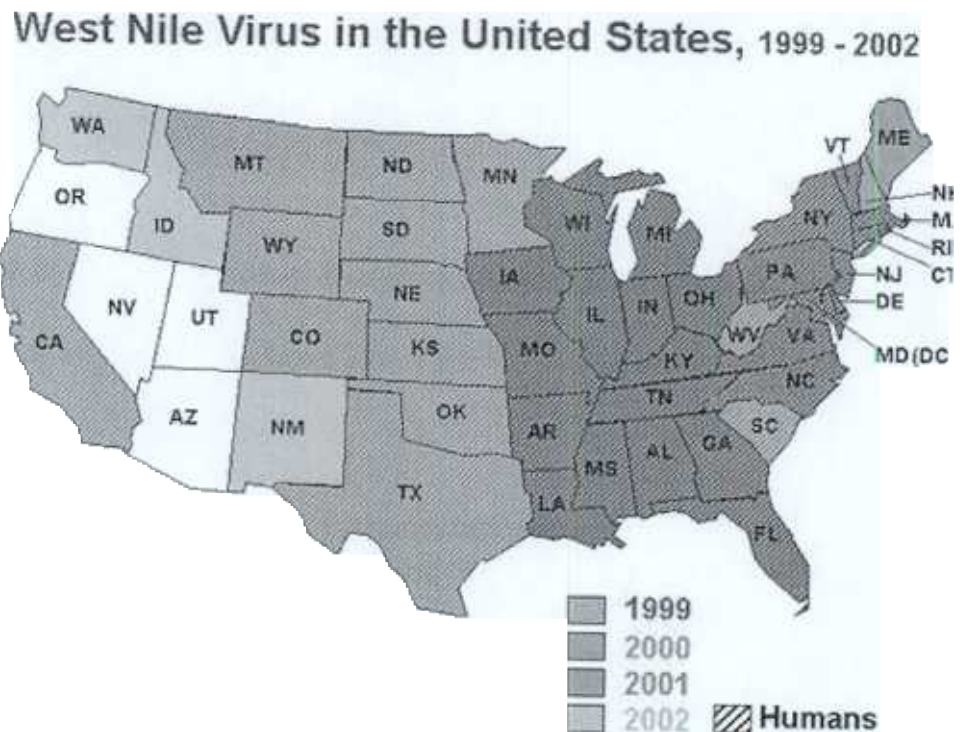
- [View a map of West Nile virus in the U.S.](#)
- [CDC's West Nile virus basics](#)
- [CDC/NIOSH's Recommendations to avoid mosquito contact](#)
- [CDC's West Nile virus information for clinicians](#)
- [FDA Guidance for the blood industry](#)
- [West Nile virus information from Multnomah County Vector and Nuisance Control](#)

**Disease Reporting:** Health care providers and clinical laboratories are required to report cases and suspect cases of diseases of unusual public health significance **immediately** upon identification. On weekends and holidays, call 503/731-4030 to reach the state health department doctor on call.

**For county health departments: case report form (8/02) (PDF)** (34K).

[Print](#)

**[Return to top](#)**



## Surveillance Program

A special West Nile virus surveillance program has been initiated in 49 states, cities, and the District of Columbia. See the [Epidemic/Epizootic West Nile Virus in the United States: Revised Guidelines for Surveillance, Prevention, and Control](#) (286 KB, 111 pages) for a full description. Data are being collected on a weekly basis and are reported for the following five categories: wild birds, chicken flocks, human cases, veterinary cases, and mosquito surveillance.

## Surveillance and Control Guidelines

Revised guidelines are available to assist public health professionals with virus surveillance and control efforts. See [Epidemic/Epizootic West Nile Virus in the United States: Revised Guidelines for Surveillance, Prevention, and Control](#) (286 KB, 111 pages).

Subjects covered include surveillance, laboratory diagnosis, prevention and control methods (including such topics as source reduction and biological control), department infrastructure recommendations, data sharing and reporting, and research priorities.

## Case Definition

See the case definition (2001) for [Encephalitis, Arboviral \(includes California Eastern equine, St. Louis, Western equine, West Nile, Powassan\)](#). From the Epidemiology Program Office.

Agenda Item No.: 5  
Meeting of: March 25, 2003

Packet Materials for

## Discussion Concerning Community Outreach Meetings

will be available in hard copy on Friday, March 21, 2003.

For more information, contact the City Recorder's Office at  
503-639-4171



AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF March 25, 2003

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Discussion with State Senator Ginny Burdick and State Representative Max Williams

PREPARED BY: Greer Gaston DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

ISSUE BEFORE THE COUNCIL

A discussion with State Senator Ginny Burdick and State Representative Max Williams on issues of interest to Council.

STAFF RECOMMENDATION

Identify issues of interest or concern for Senator Burdick and Representative Williams.

INFORMATION SUMMARY

The Legislative Assembly convened on January 13, 2003. As long as the Assembly is in session, Senator Burdick and Representative Williams will meet with Council on the 4<sup>th</sup> Tuesday of each month during the Council business meeting to update Council on legislative activities.

OTHER ALTERNATIVES CONSIDERED

None.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Communication Goal #1, Action Committee Strategy: "Encourage public participation through accessibility and education."

FISCAL NOTES

None.

AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF March 25, 2003

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Update on Qwest/Verizon Franchise Fee Audit  
PREPARED BY: Craig Prosser DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

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ISSUE BEFORE THE COUNCIL

Receive verbal report on status of the joint audit of franchise fees paid by Qwest and Verizon.

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STAFF RECOMMENDATION

Receive information

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INFORMATION SUMMARY

The City of Tigard is participating in a joint audit conducted by 69 Oregon cities of franchise fees paid by Qwest and Verizon for use of the public's rights-of-way to deliver their services. Written notifications of audit have been provided to both utilities, and the audit steering committee (of which Tigard is a member) have had face-to-face and telephone conversations with both utilities regarding the audit.

The audit of Verizon appears to be proceeding in a cooperative manner.

Qwest has informed the steering committee that it will be unable to allow this audit until April 2006. Qwest has followed up on that message with individual letters to each participating city.

Staff will present a verbal briefing to Council to bring them up-to-date on these discussions and likely next steps. Staff will also be prepared to respond to any questions from Council

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OTHER ALTERNATIVES CONSIDERED

None. This is an informational briefing only.

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VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

NA

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ATTACHMENT LIST

None

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FISCAL NOTES

Tigard's share of the Qwest and Verizon audits is expected to cost about \$25,000. It is impossible to determine at this time how much in delinquent payments would be received as a result of these audits, if any.

AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF March 25, 2003

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE A resolution granting an exemption from property taxes under Tigard municipal code section 3.50 for three non profit low income housing projects owned and operated by Community Partners for Affordable Housing.

PREPARED BY: Craig Prosser DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

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ISSUE BEFORE THE COUNCIL

Shall three low-income housing projects owned and operated by the Community Partners for Affordable Housing be exempted from City of Tigard property taxation for 2003?

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STAFF RECOMMENDATION

Staff recommends approval of this resolution.

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INFORMATION SUMMARY

Tigard Municipal Code 3.50 allows certain organizations providing low income housing to be exempted from Tigard property taxation upon application by March 1 of each year and a demonstration of compliance with certain criteria listed in the Code.

Community Partners for Affordable Housing (CPAH) owns and operates Greenburg Oaks (formerly Villa La Paz), located at 11875 SW 91<sup>st</sup> Avenue in Tigard. CPAH also owns a single family home located at 9330 SW Tangela Ct. in Tigard, and it developed a low-income housing project on SW Hall Blvd. known as the Village at Washington Square. These projects are operated as low-income housing and meet all criteria listed in Tigard Municipal Code. CPAH submitted an application for exemption from 2003 property taxes on Feb. 28, 2003. All three of these properties were exempted from property taxation in 2002.

The attached resolution gives consent from the City of Tigard for this tax abatement. Under state law, CPAH must receive similar approval from jurisdictions accounting for 51% (or more) of the total property taxes to be levied on these properties. CPAH will also make application to the other taxing units.

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OTHER ALTERNATIVES CONSIDERED

Do not approve this tax exemption

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VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

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### ATTACHMENT LIST

Resolution

Letter of application and back-up materials from CPAH.

Memo from Duane Roberts regarding CPAH's applications meeting TMC Criteria

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### FISCAL NOTES

The estimated assessed value of the three properties and the estimated impact of an exemption from City of Tigard property taxes are shown below.

Property	Estimated Assessed Value*	City of Tigard Tax Rate	City of Tigard Property Tax Impact
Village at Washington Square	\$2,297,180	\$2.51/\$1,000	\$4,261
Single family home 9330 SW Tangela Ct.	\$156,536	\$2.51/\$1,000	\$393
Greenburg Oaks	\$2,671,832	\$2.51/\$1,000	\$6,706
Total Impact			\$11,360

\* Because these properties have been exempted from property taxation in the past, Washington County does not show a current assessed value. This figure is an estimated value based on data from the County and CPAH.

In FY 2002-03, the City calculated that this pro0perty tax abatement was worth \$10,233 to CPAH. There are no estimates of the value of the abatement in prior years due to the lack of assessed valuation information from Washington County.

CITY OF TIGARD, OREGON

RESOLUTION NO. 03-

A RESOLUTION GRANTING AN EXEMPTION FROM PROPERTY TAXES UNDER TIGARD MUNICIPAL CODE SECTION 3.50 FOR THREE NON-PROFIT LOW INCOME HOUSING PROJECTS OWNED AND OPERATED BY COMMUNITY PARTNERS FOR AFFORDABLE HOUSING.

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WHEREAS, Tigard Municipal Code section 3.50 provides procedures for application and consideration of non profit corporation low income housing projects exemption from property taxes, and,

WHEREAS, the code requires applications for exemption be filed with the City by March 1 and to be processed by the City within 30 days, and

WHEREAS, Community Partners for Affordable Housing, a qualified Non Profit Corporation, filed a request dated March 1, 2002 for exemption from property taxes under TMC section 3.50 for three low income housing projects and meets all applicable criteria for exemption.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The applicant, Community Partners for Affordable Housing, qualifies for the exemption set forth in Tigard Municipal Code section 3.50.

SECTION 2: The Finance Director is directed to certify to the Assessor of Washington County that the City of Tigard agrees to the abatement of property taxes for the following three properties:

- a. Village at Washington Square, 11157 – 11163 SW Hall Blvd., Tigard
- b. Single family home located at 9330 SW Tangela Ct., Tigard
- c. Greenburg Oaks, 11875 SW 91<sup>st</sup> Ave., Tigard

EFFECTIVE DATE: March 26, 2003

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2003.

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Mayor - City of Tigard

ATTEST:

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City Recorder - City of Tigard

RESOLUTION NO. 03-\_\_

# COMMUNITY PARTNERS

FOR AFFORDABLE HOUSING, INC.



PO Box 23206 • Tigard OR 97281-3206 • Tel:503.968.2724 • Fax:503.598.8923 • [www.cpahinc.org](http://www.cpahinc.org) • [info@cpahinc.org](mailto:info@cpahinc.org)

## City of Tigard Application for Tax Abatement

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February 28, 2003

Village at Washington Square

11157-11163 SW Hall Boulevard, Tigard

**A. Property Description**

**B. Project's Charitable Purpose**

**C. Certification of Resident Income Levels**

**D. How Tax Exemption Will Benefit Residents**

**E. Tax Exempt Status**

**Verification of Information**

**Attachments:**

- Resident Demographics Profile
- IRS Letter

## **A. Property Description**

**Village at Washington Square is located at 11157-11163 SW Hall Boulevard**, between SW Spruce and SW Pfaffle in Tigard. The Village at Washington Square is CPAH's first new construction project. Construction began in August 2001 and was completed in May 2002. The project was fully occupied in September 2002. The site is located within the Washington Square Regional Center and is proximate to many employment opportunities as well as public transportation and other services. The neighborhood has a combination of single-family and multi-family dwellings. The Village at Washington Square includes three residential buildings with a total of 26 dwelling units, and a community building all arranged around a central courtyard/play yard. The project includes one studio, seven one-bedroom, five two-bedroom, seven three-bedroom and six four-bedroom units. Eleven of the units are traditional apartments, while the other 15 are townhouse style units with entrances on the second floor. The project includes a small green space with benches, a path and a butterfly garden.

The total site contains .84 acres (Lot 1 is .73 acres and Lot 2 is .11 acres). The site was up-zoned to R-40. The pre-construction assessed value was \$177,530 (\$77,600 for Lot 1 and \$99,930 for Lot 2) and 2000-2001 property taxes levied were \$2,732 (\$1,194 for Lot 1 and \$1,538 for Lot 2).

**Legal Description:** Partition Plat 1998-038, Lot 1 and Partition Plat 1998-038, Lot 2 in the City of Tigard, County of Washington, State of Oregon

**Tax Lot:** 1S135DA (04600 & 04700)

## **B. Project's Charitable Purpose**

**The mission of Community Partners for Affordable Housing, Inc. (CPAH) is to promote a healthy community through the development of: permanent affordable housing, sustainable economic growth, and community-based partnerships.**

The Village at Washington Square was the first **addition** of affordable units to the Tigard housing stock in a decade. The 26 units are covenanted to be affordable to very low-, low- and moderate-income residents on a permanent basis (The Village at Washington Square will provide affordable housing for a minimum of sixty (60) years, with maximum rents regulated by covenants on the property). During this 60 year period, rents will be affordable to households at 30%, 45% and 50% of area median income and significantly below market rents. Half of the units are three and four bedroom units to allow us to serve large low-income families who have often been unable to find larger, affordable units in Tigard.

CPAH is expanding its community partnerships (with Tigard Police, Tigard Library and Tigard-Tualatin School District) and resident services program to the Village at Washington Square. Apartments at the Village at Washington Square have been made available to participants in the Hopespring and SAFAH programs (self-sufficiency programs for families in recovery or escaping domestic violence) and clients of Tualatin Valley Centers (for individuals in recovery).

The Community Center is the focal point of the support, skill building and community building activities offered to residents and includes a small computer center. Youth programs include homework mentoring, access to computers and high speed Internet, after-school crafts and story hours, an eleven week Summer Youth Program and a Youth Individual Development Account Program (financial literacy training and matched savings so youth can invest in a item of their



choice that is academic, athletic or artistic). Adult programs include Neighborhood Watch, GED tutoring, access to computers and high speed Internet, job search mentoring and an Individual Development Account program (a financial literacy and matched savings program to help low-income families to invest in a home or in education).

The Village at Washington Square is located within a census tract (309) which has a higher than average concentration of low-income rental households (median income \$25,843 vs. \$35,669 citywide in 1990). The number of residents without a high school diploma is notably higher than for Tigard as a whole (15% vs. 9%). This area boasted the second highest concentration of children under 9 of the eight census tracts in Tigard. While this area represents 9% of Tigard's population base, it is home to nearly 16% of the city's minority households.

### **C. Certification of Resident Income Levels**

Resident income levels are verified upon application. Residents may remain in their units as long as they income qualify at entry. Rents are well below the market for the area. Resident income will be certified on an annual basis.

### **D. How Tax Exemption Will Benefit Residents**

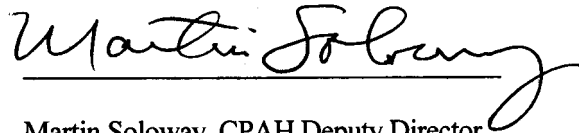
Our financial analysis for the Village at Washington Square assumed property taxes at zero. For both the initial development, and long-term operations of the project, full tax abatement is essential. A rough estimate of property taxes based on the cost of the project plus the cost of the land is \$55,000. This results in a direct reduction in rents of approximately (\$2115 per unit per year, or increased rents of \$176 per unit per month). Thus, tax abatement offers a direct benefit to residents who will pay dramatically lower rents. Tax abatement is key to the long-term sustainability of a project operating with such low rents. Rents at these levels are the only option for families working in the surrounding retail, service sector and light industrial settings.

### **E. Tax Exempt Status**

CPAH is the general partner of the Village at Washington Square Limited Partnership, a single asset nonprofit corporation. CPAH's IRS Determination Letter is attached. CPAH undergoes full audit of its books annually, as will the Village at Washington Square. Mark Schwing of Markusen & Schwing in Beaverton provides audit services for CPAH. Blume, Loveridge & Co. provides audit services for the Village at Washington Square Limited Partnership. The State of Oregon Housing and Community Services Department and the U.S. Department of Housing and Urban Development both will audit the project annually, visiting 50-100% of the 26 units. The tax credit investor (Limited Partner) also monitors the project on a monthly basis and visits on at least an annual basis.

## Verification of Information

As CPAH's deputy director, I hereby certify that the information in this application for tax abatement is accurate and complete as of this date, to the best of my knowledge. Income Property Management will provide the day-to-day management of the property and is responsible for certifying income levels of each resident for compliance with program guidelines. If additional information is desired on any aspect of this application, please do not hesitate to call. Thank you in advance for your consideration.

A handwritten signature in black ink, reading "Martin Soloway", written over a horizontal line.

Martin Soloway, CPAH Deputy Director

February 28, 2003

INTERNAL REVENUE SERVICE  
DISTRICT DIRECTOR  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

MAR 1 1995

COMMUNITY PARTNERS FOR AFFORDABLE  
HOUSING  
PO BOX 23206  
TIGARD, OR 97281-3206

Employer Identification Number  
93-1155559

DLN:  
17053030720009

Contact Person:  
THOMAS E O'BRIEN ID# 31187

Contact Telephone Number:  
(877) 829-5500

Our Letter Dated:  
February 1995

Addendum Applies:  
No

Dear Applicant

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours



District Director

Letter 1050 (DO/CG)



PO Box 23206 • Tigard OR 97281-3206 • Tel:503.968.2724 • Fax:503.598.8923 • www.cpahinc.org • info@cpahinc.org

# City of Tigard

## Application for Tax Abatement

February 28, 2003

Greenburg Oaks (formerly Villa La Paz) Apartments  
11875 SW 91<sup>st</sup> Avenue, Tigard

**A. Property Description**

**B. Project's Charitable Purpose**

**C. Certification of Resident Income Levels**

**D. How Tax Exemption Will Benefit Residents**

**E. Tax Exempt Status**

**Verification of Information**

**Attachments:**

- Resident Income Certification and Profile
- IRS Letter

## **A. Property Description**

**Greenburg Oaks is located at 11875 SW 91<sup>st</sup> Avenue**, just off Greenburg Road and Pacific Highway in Tigard. This 84-unit garden court apartment complex is centrally located, between Washington Square (the County's largest shopping mall) and Tigard's Main Street. The neighborhood is basically residential, although proximate to a variety of commercial and retail employers. Several major bus lines serve the area. Greenburg Oaks consists of 84 units in four buildings: 12 one-bedroom/one-bath 564 square foot units, 60 two-bedroom/one-bath units of 839 square feet, and 12 three-bedroom/one-bath units of 1,007 square feet. The buildings are two and one-half stories above ground (1/2 below grade). All are wood frame, with stucco and concrete exteriors with pitched, composition shingle roofs, built around 1970. Forty-two of the units have fireplaces. CPAH added a new community facility in the center of the complex which houses a computer center, library, multipurpose room and property management office.

The total site contains 3.01 acres and is built at a density of 28 units per acre, an allowable non-conforming use. There are 64 carports and a total of 142 parking spaces (ratio of 1.7 spaces per unit). The 1995 assessed value was \$2,471,890, and 1995-96 property taxes levied were \$33,874. According to Washington County's Assessor, the 1999 assessed market value of improvements: \$2,744,030 and of land: \$672,000.

**Legal Description:** The site is located in the southeast ¼ of Section 35, Township 1 South, Range 1 West (Willamette Meridian).

**Tax Lot:** The Washington County Map shows the site as tax lot 23-74-2000, Parcels I, II, and III.

## **B. Project's Charitable Purpose**

**The mission of Community Partners for Affordable Housing, Inc. (CPAH) is to promote a healthy community through the development of: permanent affordable housing, sustainable economic growth, and community-based partnerships.**

Greenburg Oaks was CPAH's first housing development project. Our acquisition and renovation of the complex ensured that the 84-units were brought up to and maintained in accordance with current health and life safety codes, and are affordable to low- and moderate-income residents on a permanent basis (CPAH has committed to 40 years of affordability for those at 50 and 60% of median income; in reality many resident incomes are around 30% of median income).

Partnerships with Tigard's Police Department and Tualatin Valley Fire & Rescue have enhanced the safety and quality of life for residents. Partnerships with Community Action Organization/Neighborshare and Portland General Electric for significant weatherization improvements have resulted in reduced utility bills for families residing in the complex. CPAH works closely with Neighborshare, which provides information and referral as well as emergency services like food box, rent and utility assistance to qualified residents, based on resources available. CPAH partners with social service programs such as HopeSpring (a partnership of Lutheran Family Services, Tualatin Valley Centers and Community Action Organization-CAO) and SAFAH (CAO program) that provide ongoing case management to help families achieve self-sufficiency.

The Community Center at Greenburg Oaks is the focal point of the support, skill building and community building activities that CPAH offers through its resident services program. CPAH's on-site computer learning center currently offers six personal computers with CD-ROM drives, a networked printer and high-speed Internet access for use by residents. The computer center is used by youth for homework, research, e-mail and educational games and by adults for job search activities and Internet access. The Tigard Library has twice obtained grant resources to purchase children's material for our on-site library.'

CPAH also offers an Individual Development Account Program to residents. The program includes extensive financial literacy training and matched savings accounts. The savings can be used for either home ownership or higher education. In February 2002, CPAH kicked off an Individual Development Account Program for youth. Youth participants take part in financial literacy training activities and community service and receive matched savings that can be invested in an item of their choice that is academic, athletic or artistic.

### **C. Certification of Resident Income Levels**

Resident income levels are verified upon application. Approval of tenancy requires that all applicant have a total verified household income of 60% or less of the area median income. Households may remain in their units as long as they income qualify at entry. Rents differ by unit size and income target, but most are in the \$400-600 range, well below the market for the area.

### **D. How Tax Exemption Will Benefit Residents**

Our financial analysis for the Greenburg Oaks project assumed property taxes at zero. This results in a direct reduction in rents of approximately  $\$35,000/84 \text{ units} = \$416$  annually per unit. Thus, tax abatement offers a direct benefit to residents who pay lower rents. Additionally, tax abatement is key to the long-term sustainability of a project operating with such low rents.

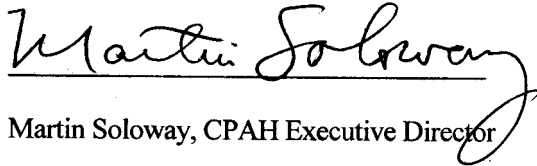
We continue to make capital improvements at the property. We are in the middle of a major capital improvement project, planning to spend nearly \$600,000 on repairs and improvements to the property in the next few years. This work will include waterproofing of all foundations, replacing the storm drain system, replacing worn emergency fire stairs, renovating exterior decks, replacing most of the water mains to the project, and extensive renovation of worn apartment interior features.

### **E. Tax Exempt Status**

CPAH is the general partner of the Villa La Paz Limited Partnership, a single asset nonprofit corporation established for the purpose of acquiring the apartments and qualifying for low-income housing tax credits. CPAH's IRS Determination Letter is attached. CPAH undergoes a full audit of its books annually, as does Greenburg Oaks. Mark Schwing of Markusen & Schwing provides audit services for CPAH and the Villa La Paz Limited Partnership. The State of Oregon Housing and Community Services Department and the U.S. Department of Housing and Urban Development both audit the project annually, visiting 50-100% of the 84 units.

## Verification of Information

As CPAH's deputy director, I hereby certify that the information in this application for tax abatement is accurate and complete as of this date, to the best of my knowledge. Income Property Management provides day-to-day management of the property and is responsible for certifying income levels of each resident for compliance with program guidelines. If additional information is desired on any aspect of this application, please do not hesitate to call. Thank you in advance for your consideration.

A handwritten signature in black ink, reading "Martin Soloway", is written over a horizontal line. The signature is fluid and cursive.

Martin Soloway, CPAH Executive Director

February 28, 2003

INTERNAL REVENUE SERVICE  
DISTRICT DIRECTOR  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date

MAR 11 1995

COMMUNITY PARTNERS FOR AFFORDABLE  
HOUSING  
PO BOX 23206  
TIGARD, OR 97281-3206

Employer Identification Number  
93-115559

DLN:

17053030720009

Contact Person:

THOMAS E O'BRIEN

ID# 31187

Contact Telephone Number:

(877) 829-5500

Our Letter Dated:

February 1995

Addendum Applies:

No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

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If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours



District Director

Letter 1050 (DO/CG)





## **City of Tigard**

### **Application for Tax Abatement**

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February 28, 2003

Tangela Single Family Rental Home  
9330 SW Tangela

**A. Property Description**

**B. Project's Charitable Purpose**

**C. Certification of Resident Income Levels**

**D. How Tax Exemption Will Benefit Residents**

**E. Tax Exempt Status**

**Verification of Information**

**Attachments:**

- **IRS Letter**

## **A. Property Description**

**Community Partners for Affordable Housing, Inc. acquired the single family “Tangela House” at 9330 SW Tangela in Tigard**, on December 31, 1999, with assistance from the Washington County CDBG program and a loan from Washington Mutual Savings Bank. It is located just two blocks from CPAH’s largest multifamily project, Greenburg Oaks (formerly Villa La Paz). It is on a quiet cul-de-sac in largely single-family residential neighborhood, off Greenburg Road.

The total site is 5,450 square feet and is zoned R-7 residential. The two-story structure is 1,916 square feet in size. CPAH converted an upstairs bonus room into an additional bedroom and completed other necessary repairs after initial acquisition.

**Legal Description:** Barbee Court, Lot 1, Tigard, County of Washington, State of Oregon.

**Tax Lot:** 1S135DC-05300.

## **B. Project’s Charitable Purpose**

**The mission of Community Partners for Affordable Housing, Inc. (CPAH) is to promote a healthy community through the development of: permanent affordable housing, sustainable economic growth, and community-based partnerships.**

CPAH acquired the four-bedroom single family home in order to assist the County and the Good Neighbor Center Shelter in meeting a “replacement unit” requirement triggered by the Uniform Relocation Act when the shelter acquired its current site and demolished a single family home housing a low-income family. CPAH completed needed repairs and upgraded the home to a five-bedroom, in order to provide a rare opportunity in our community—an affordable single-family rental for a very large family.

The home is proximate to CPAH’s Greenburg Oaks property, where management and resident services are available. The residents of this home are very low-income and eligible for services CPAH offers and coordinates. These services include a computer center, community room, neighborhood watch, Individual Development Account and other programs. The resident services coordinator personally visits the home on a regular basis to ensure that the property is well maintained and to develop an ongoing relationship with the residents.

The home is located within a census tract (309) which has a higher than average concentration of low-income rental households (median income \$25,843 vs. \$35,669 citywide in 1990). The number of residents without a high school diploma is notably higher than for Tigard as a whole (15% vs. 9%). This area boasted the second highest concentration of children under 9 of the eight census tracts in Tigard. While this area represents 9% of Tigard’s population base, it is home to nearly 16% of the city’s minority households.

## **C. Certification of Resident Income Levels**

Resident income level is verified upon application, and must be less than 60% of the area’s median income. Income is recertified on an annual basis. The current tenant holds a Section 8 certificate and is also recertified by the Housing Authority of Washington County for continuing qualification for the program.

#### **D. How Tax Exemption Will Benefit Residents**

Taxes for the year 2000-2001 were \$2,100, or \$175 per month. We developed our initial proforma with debt service coverage at 1.15 showing full tax abatement, and rent of \$850. We rented the home for \$950, and did not file a tax abatement application in the first year we operated it. Because it was our first single family home, we wanted to ensure that our operating budget performed as assumed. We commissioned a thorough inspection survey prior to purchase, and offered a reduced price in order to make additional safety repairs.

During the first years of operation, we have replaced the hot water heater and furnace components, as well as completing roof repairs and other more minor repairs and maintenance needs. A volunteer group completed an upgrade to the landscaping in summer 2001 as part of Washington County Clean and Green. We have arranged through the Home Depot staff training program to paint the house this summer. Tax abatement provides a subsidy to cover maintenance and capital repairs without having to pass these costs on to the rent.

#### **E. Tax Exempt Status**

CPAH owns the Tangela property, with Washington County in first position and Washington Mutual in second on the outstanding debt. CPAH is a nonprofit 501(c)(3) organization, which is audited annually by Mark Schwing of Markusen and Schwing. In completing CPAH's audits, Mark reviews all aspects of compliance under the County grant and Washington Mutual loan documents.

## Verification of Information

As CPAH's deputy director, I hereby certify that the information in this application for tax abatement is accurate and complete as of this date, to the best of my knowledge. Income Property Management provides the day-to-day management of the property and is responsible for certifying income levels of each resident for compliance with program guidelines. If additional information is desired on any aspect of this application, please do not hesitate to call. Thank you in advance for your consideration.

2 ~~2~~ John NO

Martin Soloway, CPAH Deputy Director

February 28, 2003

INTERNAL REVENUE SERVICE  
DISTRICT DIRECTOR  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date

MAR 11 1995

COMMUNITY PARTNERS FOR AFFORDABLE  
HOUSING  
PO BOX 23206  
TIGARD, OR 97281-3206

Employer Identification Number  
93-1155559

DLN:

17053030720009

Contact Person:

THOMAS E O'BRIEN

ID# 31187

Contact Telephone Number:

(877) 829-5500

Our Letter Dated:

February 1995

Addendum Applies:

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Dear Applicant

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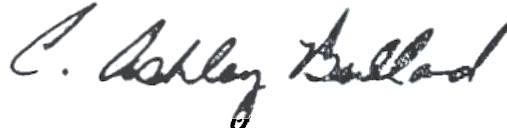
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If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,



District Director



*Community Development  
Shaping A Better Community*

## MEMORANDUM

### CITY OF TIGARD

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TO: Craig

FROM: Duane

DATE: 3/5/03

SUBJECT: Applications for Tax Abatement

The Tigard-based Community Partners for Affordable Housing (CPAH) has submitted separate applications for low-income housing tax exemptions for the three properties it owns and manages inside the City. The three include the 26-unit Village at Washington Square, the 84-unit Greenburg Oaks (formerly, Villa La Paz), and a four-bedroom single family house located two blocks from the Greenburg Oaks units.

TMC 3.50.020, "Nonprofit corporation low income housing; exempt criteria", provide standards for considering exemption requests. These criteria and whether and how the CPAH applications meet each criterion are reviewed below.

**1. The property is owned or being purchased by a corporation that is exempt from income taxes under section 501(c) (3) or (4) of the Internal revenue Code . . .**

A copy of an Internal Revenue Service letter, dated March 11, 1999, verifies that CPAH qualifies as a 501(c) organization.

**2. Upon liquidation, the assets of the corporation are required to be applied first in payment of all outstanding obligations, and the balance remaining, in cash and in kind, to be distributed to corporations exempt**

**from taxation and operated exclusively for religious, charitable, scientific, literary or educational purposes or to the State of Oregon.**

The list of submittal requirements under TMC 3.50.040 does not include any reference to information on asset liquidation, and the CPAH applications do not contain any such information. The director has verbally confirmed to staff that the organization's incorporation papers do, if fact, include a provision of this kind.

**3. The property is occupied by low income persons.**

The TMC defines low income as household income at or below 60% of area median. According to the CPAH submittals, in the case of all three of its projects, income is verified upon application and is re-certified on an annual basis. Household income at or below 60% of median is the cut off for continued eligibility. Current average household size and income for Village a Washington Square tenants is 2.8 person and \$16,123, respectively. The same figures for Greenburg Oaks tenants are 2.7 persons and \$18,006. Therefore, this criterion is met.

**4. The property or portion of the property receiving the exemption, is actually and exclusively used for the purposes described in section 501 (c) (3) or (4) of the Internal Revenue Code . . .**

The applications indicate and a staff visit to the two apartment complexes confirms that all the property is exclusively used for the intended purposes.

**5. The exemption has been approved as provided in section 3.50.050**

This criterion relates to the required City process for handling exemption requests.

**Conclusion:**

CPAH-owned properties have qualified for tax abatement each year since 1996. According to the applications submitted for FY 03-04 abatement, no change in circumstances have occurred that would disqualify the non-profit housing provider from continuing to receive the exemption.

The "Affordable Housing Program", adopted 9/03 as "a complete and official statement of the City's overall affordable housing program", includes tax abatement as one of the City's strategies for facilitating affordable housing in the community. Its purpose is to allow the owners of low-income housing to reduce rents. As such, granting the exceptions to CPAH would be consistent with the applicable TMC standards and with the adopted City housing policy.

AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF 3/25/03

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Review Commuter Rail Station Design Recommendations from the Downtown Task Force

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PREPARED BY: Beth St. Amand DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

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ISSUE BEFORE THE COUNCIL

Review and consider endorsement of the “Recommended Design Elements for the Downtown Tigard Commuter Rail Station” document prepared by the Downtown Task Force. City Council appointed the 12-member Downtown Task Force in November 2002, charging the group with three main objectives for its 18-month appointment. The Task Force recently completed work on the first objective, providing direction on station design. The Task Force document “Recommended Design Elements for the Downtown Tigard Commuter Rail Station” (Exhibit A) summarizes the Task Force’s preferences for the station.

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STAFF RECOMMENDATION

Review and consider endorsement of the “Recommended Design Elements for the Downtown Tigard Commuter Rail Station” document (Exhibit A). The document will be forwarded to the TriMet Board of Directors to a) influence station design, and b) determine financial responsibility for station components.

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INFORMATION SUMMARY

City Council appointed the 12-member Downtown Task Force in November 2002, charging the group with three main objectives for its 18-month appointment. The Task Force recently completed work on the first objective, which directed the Task Force to work closely with Washington County and TriMet to influence the station’s development and appearance. The Task Force document “Recommended Design Elements for the Downtown Tigard Commuter Rail Station” (Exhibit A) summarizes the Task Force’s preferences for the station. This completes the Task Force’s first objective.

In order to influence the station design, the Task Force worked to provide TriMet with its suggestions prior to the start of Final Design, anticipated in April 2003. The recommendations document reflects the Task Force’s proactive efforts with TriMet and Washington County over the last seven months. TriMet provided key technical assistance to aid the Task Force. TriMet staff worked closely with the group to identify different station elements and probable designs. Task Force members then photographed elements throughout the metro area that could be used for Tigard’s station and the Downtown. At the November and December 2002 meetings, the Task Force reviewed and discussed those examples to arrive at consensus recommendations, and approved the document containing those recommendations (Exhibit A) at its February 27, 2003, meeting.



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### OTHER ALTERNATIVES CONSIDERED

The Task Force reviewed alternatives for each station component; the preferred alternatives are included in the document.

Council may:

- 1) Review Exhibit A and endorse, approving the proposed resolution (Attachment 1).
- 2) Review and modify the Task Force recommendations and /or the proposed resolution (Attachment 1).

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### VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Community Character and Quality of Life/Central Business District Goal #1, Provide opportunities to work proactively with Tigard Central Business District Association (TCBDA) businesses and property owners and citizens of Tigard to set the course for the future of the central business district.

Transportation and Traffic Goal #3, Alternative Modes of Transportation are Available and Use is Maximized.

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### ATTACHMENT LIST

**Attachment 1:** Resolution

**Exhibit A:** “City of Tigard Downtown Task Force Recommended Design Elements for the Downtown Tigard Commuter Rail Station”

**Attachment 2:** Memo on Funding Issues Related to Commuter Rail Station Design Recommendations

**Attachment 3:** Downtown Tigard map

**Attachment 4:** Urban Services Intergovernmental Agreement Between Washington County, the City of Tualatin, the City of Tigard, the City of Beaverton, and the City of Wilsonville

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### FISCAL NOTES

The Task Force recommendations are meant to influence TriMet’s final design and will be used to discuss financial responsibility for station amenities and enhancements with TriMet. The discussions will help determine the funds needed to realize the Tigard station as presented in the Recommendations document. Attachment 2 briefly reviews funding for station components.

However, it should be noted that the final design will be submitted as part of TriMet’s land-use application for the station. The City’s land-use review will evaluate the final design and examine requirements for safety measures, pedestrian connectivity, impact on transportation network, and compliance with all plans, including the Transportation System Plan.

CITY OF TIGARD, OREGON

RESOLUTION NO. 03-\_\_\_\_\_

A RESOLUTION ACCEPTING AND ENDORSING THE DOWNTOWN TASK FORCE’S DESIGN RECOMMENDATIONS DOCUMENT FOR THE COMMUTER RAIL STATION

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WHEREAS, Washington County and TriMet—along with Tigard, Beaverton, Tualatin, Wilsonville and other regional partners— are planning a Commuter Rail train system that would carry commuters from Wilsonville to Beaverton beginning in 2005; and

WHEREAS, as part of those plans, Tigard would have a Downtown station; and

WHEREAS, Council appointed the Downtown Task Force in November 2002, and its first charge was to work closely with Washington County and TriMet to influence the Commuter Rail station’s development and appearance; and

WHEREAS, the Task Force has completed its first task by working with TriMet and City staff to develop station design recommendations that reflect the character of Tigard and are contained in the February 2003 “City of Tigard Downtown Task Force Recommended Design Elements for the Downtown Tigard Commuter Rail Station”; and

WHEREAS, one of the City Council’s Goals is to support the activities of the Downtown Task Force as they provide input to the design of the Tigard Commuter Rail station; and

WHEREAS, in order to influence the station design, the Task Force recommendations need to be submitted to TriMet prior to the beginning of Final Design, expected in April 2003; and

WHEREAS, the document “City of Tigard Downtown Task Force Recommended Design Elements for the Downtown Tigard Commuter Rail Station” represents the City’s vision for the Downtown Station,

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: This document shall be forwarded to the TriMet Board of Directors by April 1, 2003, to provide design guidance prior to the commencement of Final Design.

SECTION 2: The Task Force and City staff shall work with TriMet to find alternate funding options for those recommendations not funded by the project.

SECTION 3: This resolution is effective immediately upon passage.

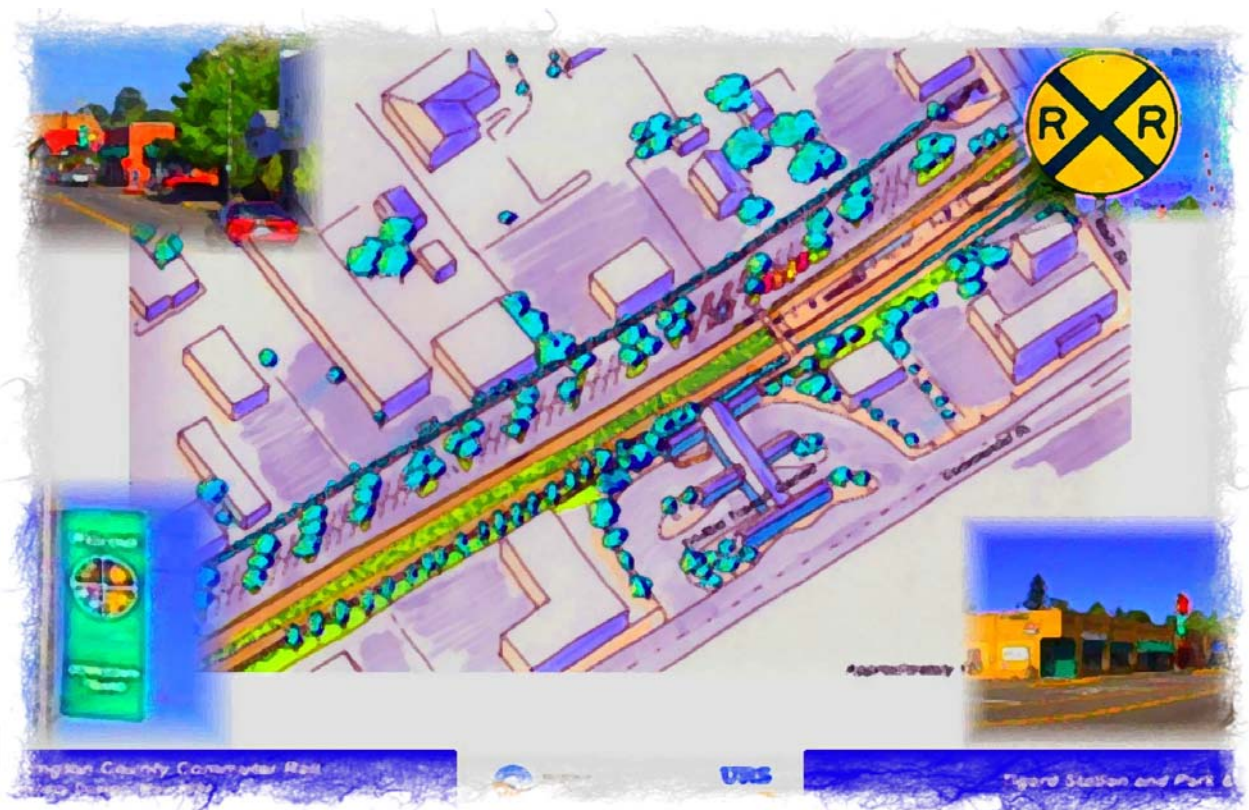
PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2003.

\_\_\_\_\_  
Mayor - City of Tigard

ATTEST:

\_\_\_\_\_  
City Recorder - City of Tigard

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**City of Tigard**  
**Downtown Task Force:**  
**Recommended Design Elements for the**  
**Downtown Tigard Commuter Rail Station**

**February 2003**

**This document produced by the  
Tigard Downtown Task Force**

**February 2003**

**Task Force:**

**Chair: Mike Marr**

**Members: Carolyn Barkley; Brian Bishop; Martha Bishop; Alexander Craghead; Craig Dirksen; Mike Duyck; Francine Gritzbaugh; Marland Henderson; Chris Lewis; Judy Munro; Mike Stevenson; Dr. David Torkko**

**City of Tigard Staff:**

**Jim Hendryx, Community Development Director  
Barbara Shields, Long-Range Planning Manager  
Beth St. Amand, Project Manager**

**For more information on this report and Commuter Rail,  
contact the following:**

<b>Task Force Chair</b>	<b>Mike Marr</b>	<b>503-624-2975</b>
<b>City of Tigard</b>	<b>Jim Hendryx</b>	<b>503-639-4171</b>
<b>TriMet</b>	<b>Claudia Steinberg</b>	<b>503-962-2154</b>
<b>Washington County</b>	<b>Steve Hansen</b>	<b>503-846-7875</b>

## **TIGARD DOWNTOWN TASK FORCE STATEMENT**

February 27, 2003

The Tigard City Council formally established the Tigard Downtown Task Force on November 26, 2002 with Resolution No. 02-72. The objective of the Task Force is twofold. The first objective is to work closely with Washington County and TriMet to influence the development and appearance of the Commuter Rail Station to be located in the rail corridor near Main Street in downtown Tigard. The second is to examine and develop other future downtown revitalization / economic development needs of the area.

The Task Force met informally several times beginning in June 2002, becoming familiar with the general conceptual Commuter Rail plans prepared by Washington County and TriMet. We were provided with various element options available to choose from, to reflect our preference for a number of design items, i.e. the Station, lighting, paving, bike racks, signage, etc. Numerous members of the Task Force have toured and photographed existing elements of TriMet Stations throughout the Metro Area. A number of major issues are not within our area of responsibility, although we have expressed our opinions on some of them.

Upon our formal appointment and subsequent monthly meetings, and through the consensus process, we have agreed to the elements of the Station we prefer and recommend to the Tigard City Council. Those can be found in this document, entitled Station Design Recommendations. It should be noted that the Task Force is in favor of a traditional look that is of a train station of the early to mid 1900 era. We have attempted to give considerations to several key factors:

Cost of development	Cost of maintenance	Tigard history
Pedestrian safety	Visual impact on surrounding area	
Traffic impacts	Compatibility with future downtown enhancements	

We also have presented some very general ideas under the title of Station Enhancements which we wish to follow up on, depending on the funding availability.

There are two items that deserve special comment. The first is the matter of access to and from the Commuter Rail Park and Ride Lot. The Task Force by majority feels that the parking lot needs two access locations. We strongly support the inclusion by TriMet and Washington County of a second entrance and exit to the park and ride lot. The impact of only one location, on Main Street, particularly during commute hours, would be extreme. We also feel that there are significant safety and emergency vehicle access issues. This position is consistent with that of many business and property owners, including Tualatin Valley Fire & Rescue, in the downtown area.

## Tigard Downtown Task Force Statement

February 27, 2003

Page 2

The second item we wish to address is that of lighting in the Rail Station and Parking Lot. We have selected lighting styles which we envision being the same or compatible with lighting to be installed in the downtown area streets in the future. The cobra style lights are thought to be very unattractive and do not contribute to the ambience desired. We recommend that the City of Tigard, TriMet and Washington County research and work together for the availability of like lighting, and the installation of same, for the Rail Station, Rail Station Parking Lot, and the downtown streets.

We extend our appreciation to Washington County, TriMet, and the City of Tigard for the opportunity to participate in this process. Should there be any questions or comments, we look forward to hearing from you.

Tigard Downtown Task Force



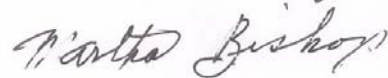
R. Michael Marr, Chairperson



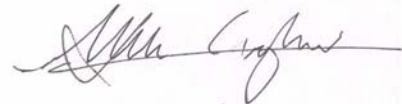
Carolyn Barkley



Brian Bishop



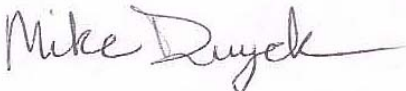
Martha Bishop



Alexander Craghead



Craig Dirksen



Mike Duyck



Marland Henderson



Christine Lewis



Judy Munro



Michael Stevenson



Dr. David Torkko

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## **Appendix**

### ***Resource Information***



# I. Introduction

In Fall 2005, the Beaverton-to-Wilsonville Washington County Commuter Rail is scheduled to begin operation. Downtown Tigard will have its own station.

To take advantage of this opportunity, all Downtown property and business owners were invited to a series of meetings in 2002 to assess how the station and its elements could act as a catalyst for Downtown Tigard. A dedicated group of individuals continued to meet, and the Tigard City Council formalized the group as the Downtown Task Force in November 2002. The Council also expanded the Task Force's scope, including tasks beyond Commuter Rail that address revitalization of the Downtown.

## **This Document: Purpose and Process**

This document, *Recommended Design Elements for the Downtown Tigard Commuter Rail Station*, addresses the Task Force's first work task:

*The Task Force will work closely with Washington County and TriMet to influence the station's development and appearance.*

The Task Force's recommendations are intended as guidelines, to influence TriMet to choose designs that reflect the Task Force's preferences. This document will be used to discuss financial responsibility for station amenities and enhancements. The discussions will help determine the funds needed to realize the Tigard station as presented here.

## *Process*

In Fall 2002, TriMet had not yet entered Final Design and anticipated February 2003 as the start date, depending upon federal approval. A significant amount of the project's funding will come from federal sources. With increasing competition for federal funding of rail transit projects, the Federal Transit Administration (FTA) is now requiring all projects requesting federal dollars to submit additional data. The Commuter Rail project team is working toward submitting this information in March and is hoping for permission to enter Final Design in April.

Using this timeframe, the Task Force worked to provide TriMet with its suggestions for the Tigard station prior to entering Final Design. This document reflects the Task Force's proactive efforts with TriMet and Washington County over the last seven months.

TriMet provided key technical assistance to aid the Task Force. TriMet staff worked closely with the group to identify different station elements and probable designs. Task Force members then photographed elements throughout the metro area that could be used for Tigard's station and the Downtown. At the November

and December 2002 meetings, the Task Force reviewed and discussed those examples to arrive at consensus recommendations.

### *Objectives*

This document will fulfill the following objectives:

- Illustrate the Task Force's preferred elements and style for the Downtown station to reflect the character of Tigard.
- Provide a design palette for Main Street by choosing elements that can be used both in the station and on Main Street.
- Provide design guidance to TriMet prior to Final Design.

## II. The Washington County Commuter Rail Project

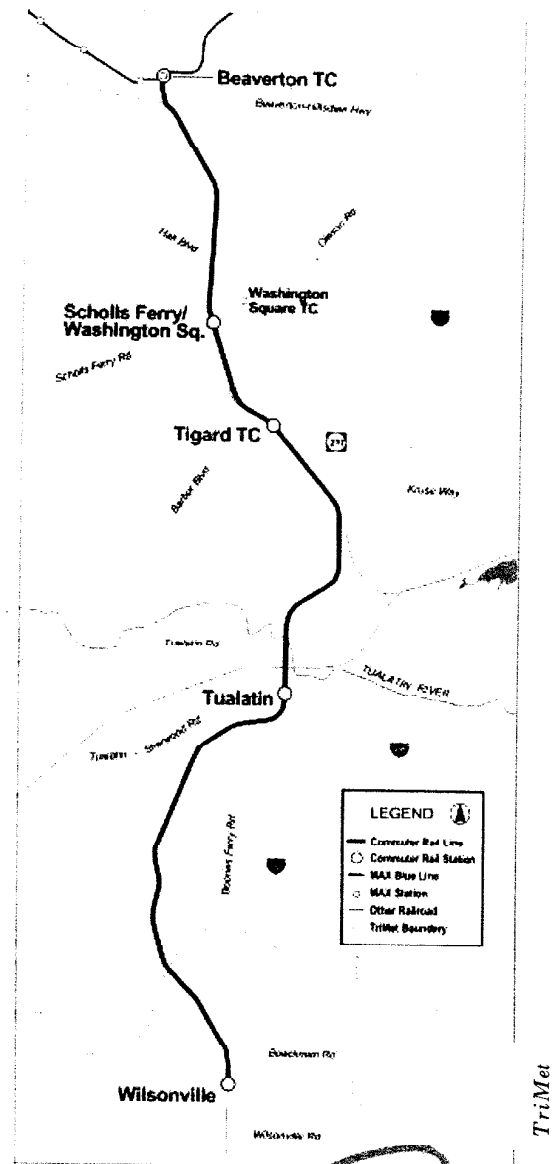
The Commuter Rail project will move commuters through the eastern Washington County transit corridor by joint use of freight rail lines. The project will run 14.7 miles from Wilsonville to Beaverton along the existing railroad corridor, with five stations located in Wilsonville, Tualatin, Downtown Tigard, Washington Square, and Beaverton. It is anticipated that rail service will begin in Fall 2005. The following information was excerpted from TriMet's *Washington County Commuter Rail Station Design Scope*, September 2002.

### Project History

In 1996, Washington County; the cities of Beaverton, Tigard, Tualatin, Wilsonville and Sherwood; TriMet; Metro; and ODOT began studying the feasibility of commuter rail along a branch freight rail line that parallels Interstate 5 and Highway 217 between Wilsonville and Beaverton. In 1999, the county and the Federal Transit Administration (FTA) began an alternatives analysis and an environmental assessment. Both processes have been concluded, and the project is now seeking federal approval to begin final design.

### Operation

Commuter rail is a transit service that predominantly serves work commute trips over longer distances than light rail. Trains typically run during both the morning and afternoon rush hours. Washington County and TriMet are planning for weekday commuter rail service for 3.5 hours in both the mornings and afternoons, and they estimate a daily ridership of 4,650 in 2020. It is estimated that it will take 26 minutes to commute between Beaverton and Wilsonville.

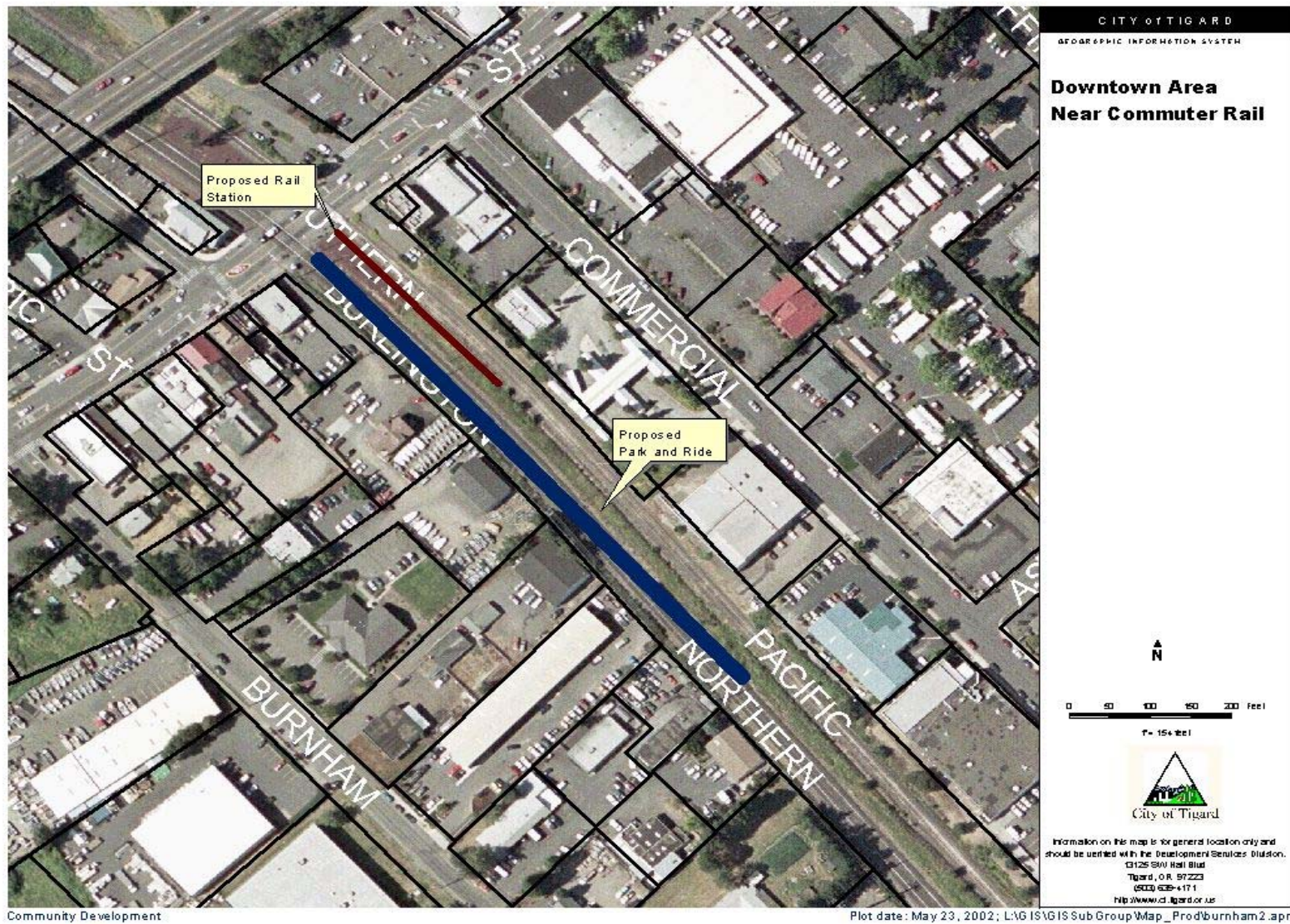


### ***Commuter Rail Vehicles***

Most new commuter rail systems in North America use diesel electric-powered locomotives hauling 3 to 6 passenger coaches in order to carry many passengers over long distances. For commuter corridors with shorter distances between stations and smaller passenger loads, self-propelled train cars are more economical. The Washington County Commuter Rail vehicles will have two train cars. Since the Washington County commuter trains will be operating on an active freight railroad, the passenger vehicles also must comply with safety standards set by the Federal Railroad Administration (FRA).

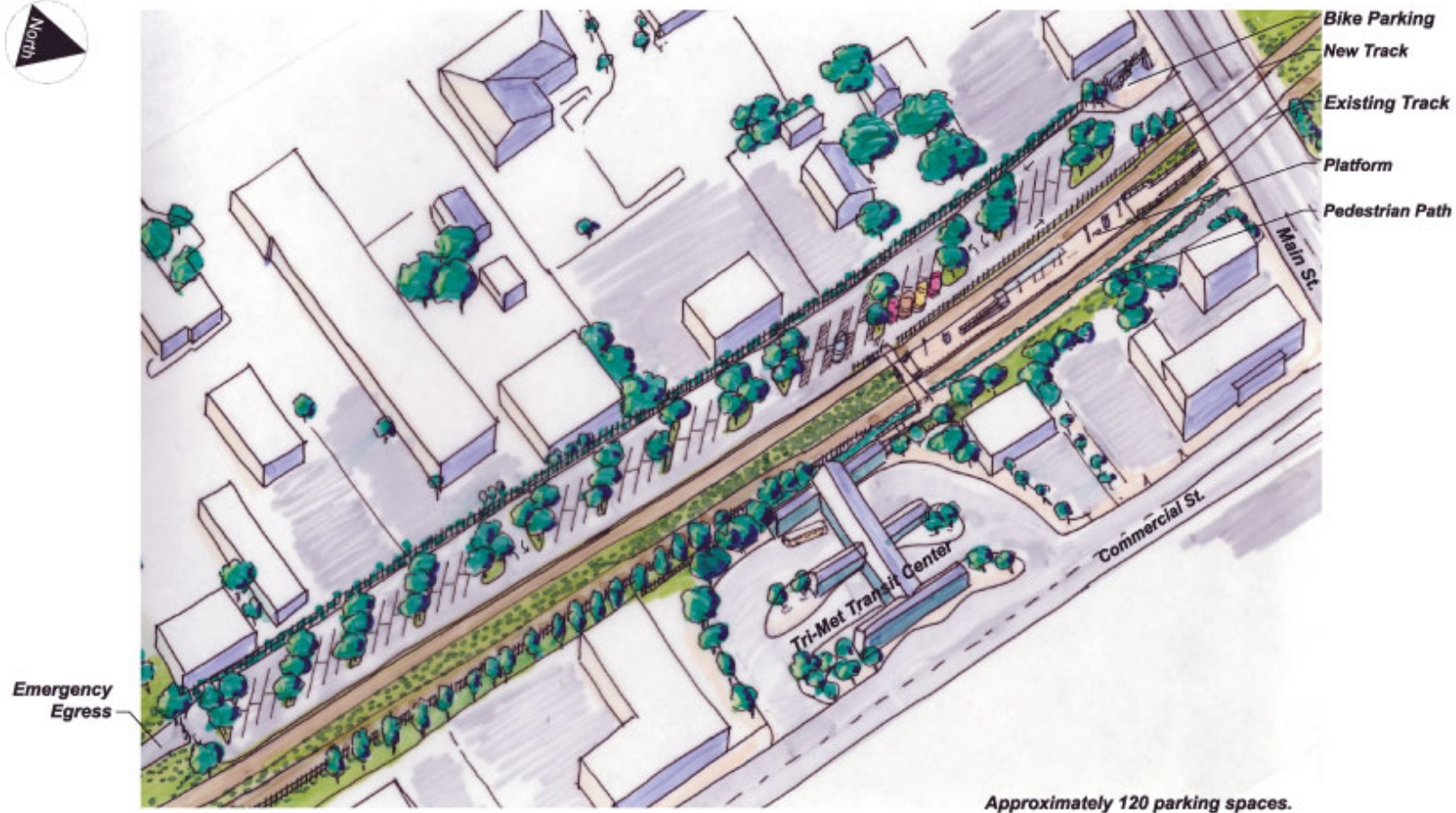
#### **Project Funding**

Total capital cost: \$120 million (year-of-expenditure dollars). Federal, state and local funding will cover construction costs. A request for federal authorization and funding is pending.



*The Downtown Tigard Station will be located directly southeast of Main Street.*





**Washington County Commuter Rail**  
Preliminary Design, May 2001



**Tigard Station and Park & Ride**

*The Downtown Tigard station's preliminary design illustrates the platform and park-and-ride; as of February 2003, TriMet was awaiting federal approval to enter final design.*

### III. Rail Station Site and Design

#### Existing Conditions

The Downtown Tigard station will be located in the city's Central Business District (CBD). The CBD allows retail, office, industrial and residential uses. Main Street businesses include retail, office, restaurants, and a post office, with angled parking on Main Street.

#### The Station Site

The site fronts directly on Main Street, with Commercial Street to the east and Tigard Street and Burnham to the west.

The area proposed for the station and track lies in the current railroad right-of-way. Today, there are three sets of tracks: two on the west of a vegetated berm and one on the east. The existing tracks are flush with Main Street.

To the west of the railroad right-of-way, there are businesses and a parking lot. On the east, there is a business, parking lot, a grassy area, and the Tigard Transit Center. The Transit Center serves bus patrons only, and it does not have an existing park-and-ride.

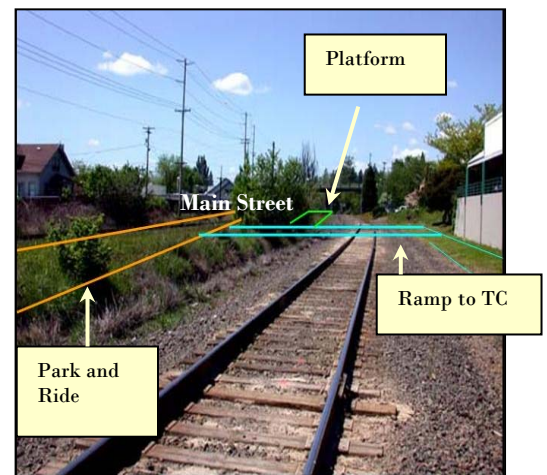
#### Preliminary Design

The preliminary design for the Downtown Tigard station is shown on the previous page. The design places the station platform in the existing railroad right-of-way. The east track will be preserved, with another track installed. The two western tracks will be removed, and a 120-space park-and-ride built on the land. There will be approximately 15 bike spaces.

The platform will be approximately 200 ft. long by 20 ft. wide. The existing Transit Center will be connected to the platform with an elevated walking ramp. Plans also call for a screening hedge between the track and the east property boundary, including a pedestrian path, and a hedge along the west edge of the park and ride.



*Looking south from Main Street at west tracks and site of future park-and-ride.*



*Looking north (toward Main Street) at current east track with improvements roughly superimposed and Transit Center at far right.*

## **IV. Vision – Approach and Summary**

### ***A. General Approach***

From the start, the Downtown group said it wanted to decide what to do with this station now, as “it’s people’s entry into Tigard and will reflect Tigard and the Downtown.” This project would act as a catalyst, inspiring other projects or activities Downtown, due to its location in the middle of Main Street and having new riders in town. Two additional sentiments were expressed: 1) the desire to visualize the station fully, taking it beyond basic design; 2) to choose designs that could be used both in Downtown and in the station.

Using the *Washington County Commuter Rail Station Design Scope, September 2002*, TriMet helped the group visualize the station and its components. There are three main categories of improvements:

- Station Elements, which remain the same throughout the line;
- Amenities, items that go beyond the basics; and
- Enhancements, which the community funds.

The group narrowed down the list to 11 priority items, and visited downtowns and MAX stations throughout the metro area to provide photographed examples.

### ***B. Summary of Task Force Preferences***

The Task Force initially agreed that it wanted a traditional look for the Downtown Tigard Station, and its recommendations reflect this emphasis. Overall, the group prefers designs that incorporate traditional elements, create distinctive landmarks, and reflect Tigard’s history.

The Task Force also weighed the applicability of designs to Downtown when creating its recommendations. Integrating the station into the fabric of Main Street is important, and will require replicating certain station components in Downtown. Additional issues – such as safety, station accessibility for pedestrians and vehicles, and business tie-ins – are also key, but will be addressed in other efforts.

Throughout the examples, the Task Force consistently singled out artist-influenced elements. Recognizing that TriMet’s Public Art Program will apply its creativity in new ways, the Task Force has provided potential influences here and looks forward to working with the artists.



## **V. Parking and Safety Concerns and Recommendations**

### **A. Safety**

The park and ride lot design needs to accommodate safe pedestrian circulation connecting the parking lot to the station platform.

### **B. Second Entrance/Exit for Park and Ride Lot**

The Task Force by majority feels that the parking lot needs two access locations. We strongly support the inclusion by TriMet and Washington County of a second entrance and exit to the park and ride lot. The impact of only one location, on Main Street, particularly during commute hours, would be extreme.

We also feel that there are significant safety and emergency vehicle access issues. This position is consistent with that of many business and property owners, including Tualatin Valley Fire & Rescue, in the downtown area.

## VI. Station Design Recommendations

The following recommendations represent the Task Force's preferences for the Downtown Tigard station, developed through a consensus-driven approach.

### 1. Shelters

#### *Roof*

- A roof with a steeper pitch (like Example 1). The group likes the appearance of Example 1, but it should be elongated to reflect the Commuter Rail platform size. Natural light is highly valued, and should be included in the design. An all-glass roof is discouraged.



*Ex. 1*



*Ex. 2: Glass roof panels.*

## *Windscreens*

- Smaller, multiple unconnected glass panels, as seen in Example 3, but with a pattern that deters vandals. The design allows riders to enter the train at multiple access points. It also improves safety, as it eliminates inaccessible corners and the glass maintains visibility.



*Ex. 3*

## *Posts/Railings*

- Brick or legged supports (Example 4). Brick should be given consideration in the shelters, either as posts or in the walls.



*Ex. 4*

## 2. Paving

### *Basic*

- Scored concrete due to design flexibility and ease in maintenance. The ability to easily maintain any paving material and/or design is a high priority.
- The group wants to explore other scoring designs and the potential for color. The Task Force likes the look of brick, but suggests not using actual brick unless durability and maintenance concerns can be resolved.
- The final material and design should tie into future downtown improvements.



*Ex. 5*

## 3. Lights

- A traditional light that can be used in both the Main Street right of way and the park-and-ride lot, such as Example 6. The parking lot light style should be the same for platform lights.
- If a light similar to Example 6 cannot be used in both areas, another decorative light should be used as opposed to cobra or stock lights.



*Ex. 6-  
Hillsboro,  
Downtown  
Portland*



## 4. Benches

- A bench that is artistic, yet traditional in style, and made out of metal. Concerns were raised about wood's ability to withstand vandalism.



*Ex. 7: The Task Force chose this Westside MAX bench as its preferred option. The bench is wood and metal.*

## 5. Trash Receptacles

- Metal cans, due to maintenance reasons (graffiti, ease of removing garbage, lid to keep dry), such as Example 8. The receptacles should incorporate openings for air circulation to alleviate smell.



*Ex. 8*

## 6. Tree Grates

- If trees are considered, a round iron grate with a black metal tree guard (Example 9) provide a dual, complementary function. While the grate could be round or square, the use of the guard protects young trees and children's arms or feet from getting caught in the root hole. The grate should be easily modified as trunks expand.



*Ex. 9*

## 7. Bike Racks

- A simple yet traditional example, such as Example 10, possesses character and its compact shape does not intrude into the pedestrian environment.
- However, an artistic, unique approach, like Example 11, supplies diversity in style. Overall, the group wants to avoid standard approaches.



*Preferred:  
Ex. 10 (left); Lake  
Oswego.  
Ex. 11 (above);  
Honolulu.*

## 8. Landscaping

- Consider trees before planters. However, there were some questions regarding trees on platforms, including a) impact of eventual canopy size on a narrow platform and b) tree safety (birds, pests, vandalism). Maintenance responsibilities will need to be determined.

## 9. Railings

- For safety reasons, an all-metal railing with all elements clearly visible. The railing should also create visual interest, such as the Rose Quarter (Example 12) railing. While traditional, it also incorporates artistic elements and ties into the station design well.



*Ex. 12*

## 10. Boundary Walls

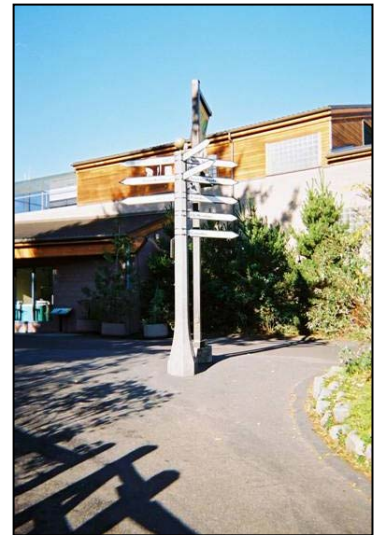
- Consider walls where appropriate. Appropriate uses include channeling users on public property and away from adjoining private property, which is a Task Force priority.
- A wall patterned like natural elements, such as Example 13, would complement the scored concrete of the station paving. The walls should be about knee-high, enough to deter or channel foot traffic.



*Ex. 13*

## 11. Signs

- A directory style takes up limited space and can be mounted on a light pole (such as Example 14 at the zoo). It lists services by general type instead of specific businesses, which limits updates.



*Ex. 14*

## VII. Station Enhancements

In the *Washington County Commuter Rail Station Design Scope*, TriMet characterizes enhancements as the following: “Communities may consider adding amenities, with local funding, that are beyond the basic design of the commuter rail stations in order to achieve local design objectives. The Project will strive to incorporate station enhancements wherever financially feasible.”

The TriMet public art program may incorporate station enhancements as part of its work. The Task Force presents the following preferences as a guide to the art committee and for future local improvements, and encourages TriMet to consider these as project additions.

### A. General Guidelines

- Incorporate traditional elements, create distinctive landmarks, and reflect Tigard’s history.

Some ideas raised by Task Force members include the following:

- Have a train theme;
- Tie hot-air balloons into designs to reflect the Festival of Balloons;
- Have a clock that can be seen along Main Street.

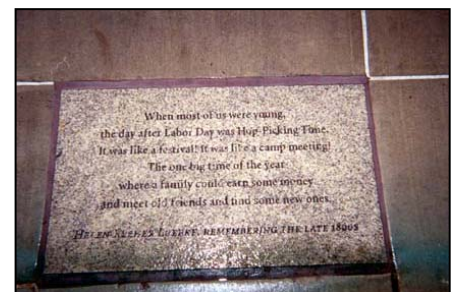
In addition, add-on elements that use text within the paving, take a historical approach or tell a story about our community are preferred.



*An example of a clock with chime (Hillsboro).*



*Examples of historical text embedded in paving. Goose Hollow (top), tells the site’s history; Westside MAX includes quotes from area historical texts.*







*The Lincoln High Mural in Portland faces Westside MAX at Goose Hollow. It uses photos and text to tell a story about Lincoln's past.*

## **VIII. Conclusion**

The Task Force views the Commuter Rail and its station as an opportunity for Downtown Tigard. This station will be riders' entry into Tigard and will reflect Tigard and the Downtown. How the station is designed will impact the perception of both.

This document will be submitted for approval to the Tigard City Council and forwarded to the TriMet Board of Directors prior to the beginning of Final Design. The Task Force requests that TriMet review these recommendations, consider the group's comments and concerns, and incorporate the suggested components into the final station design. To make this possible, the group has worked diligently to provide TriMet with this information before final design commences. At the time this document was finalized, TriMet was awaiting federal approval to enter Final Design, expecting it in Spring 2003.

It is intended for these recommendations to influence further discussions regarding form, function and funding. Those discussions will help determine the funds needed to realize the Tigard station as presented here.

## A p p e n d i x

For more information about Commuter Rail, consult the following resources:

### *Websites*

<http://www.tri-met.org/projects/commuterrail.htm>

<http://www.co.washington.or.us/deptmts/lut/commrail/train.htm>

### *Documents*

*Exhibit A to Commuter Rail Intergovernmental Agreement - Washington County Commuter Rail Station Design Scope, September 2002 (Author: TriMet).*

This report is stored on the City of Tigard network at:  
I:\LRPLN\beth\Downtown\Final Station Design Plan March 2003.doc



**MEMORANDUM**  
**CITY OF TIGARD**

---

TO: Jim Hendryx

FROM: Barbara Shields

DATE: March 3, 2003

SUBJECT: Funding Issues Related to Commuter Rail Station Design Recommendations

This memo reviews the funding issues related to the Task Force's Commuter Rail station design and development recommendations. Task Force recommendations will be forwarded to TriMet to

- 1) influence station design; and
- 2) determine financial responsibility for station components.

The Task Force recommendations address

- 1) the station platform; and
- 2) the park and ride lot.

TriMet intends to fund station elements within the project's baseline budget. The total capital cost for the Commuter Rail line is \$120 million (year-of-expenditure dollars). Federal, state and local funding will cover construction costs. Local and state sources have committed \$60 million for the project. A request for federal authorization and funding for the balance is pending.

An Intergovernmental Agreement (IGA) between all the affected jurisdictions (including Tigard) indicates that station improvements may recognize design variations included in local design guidelines and standards but any cost attributable to physical improvements or modifications that is greater than the cost in the design guidelines will be the financial responsibility of the permitting city.

The Downtown Tigard station is one of five stations included in the overall design. The preliminary design for the Tigard station includes a platform in the existing railroad right of-way, and a 120-space park-and-ride. The platform will be approximately 200 ft. long by 20 ft. wide. The existing Transit Center will be connected to the platform with an elevated walking ramp.

Based on the funding approach contained in the IGA, it appears that several of the Task Force recommendations for the Tigard station may go beyond the "project's baseline budget" and would have to be the financial responsibility of the City of Tigard.

Below is a short review of the project's current funding approach and anticipates the areas where the City and Task Force may have to find alternative methods of funding station improvements. In short, the City needs to initiate a discussion to help determine the funds needed to realize Tigard's station as presented in the Task Force's Recommendations.

### **Station Design Funding Issues**

The Task Force focused on design components of the platform. In its station work, TriMet defines three types of improvements: Station Elements, Amenities, and Enhancements. TriMet's public art program provides funding for permanent art works, some of which are integrated into station designs (such as railings or paving).

- Station Elements are basic station components and remain the same throughout the line. They would be funded by TriMet. Examples include shelters and lights.
- Station Amenities - This category includes station railings, paving and benches. Basic versions of these items may be funded by TriMet; the art program may enhance these as well.
- Station Enhancements – Communities may consider adding amenities with local funding that are beyond the basic design; TriMet will strive to incorporate station enhancements wherever financially feasible. Enhancements are not typically funded by TriMet's projects unless an artist performs the work as part of the art program. The clock tower may be one item where the City and Task Force may have to find alternative methods of funding.

TriMet intends to fund design options and station elements within the project's baseline budget. Examples given in *Exhibit A to Commuter Rail Intergovernmental Agreement - Washington County Commuter Rail Station Design Scope* include shelters with metal roofs, steel support columns and a stainless steel leaning rail; platforms with benches; pedestrian level lighting with 10-foot high precise concrete poles. TriMet has said that the Project will provide similar improvements in each of the cities based on a consistent set of project design specifications, with the exception of any enhancements provided by TriMet's art program.

The final cost of the additional designed elements that go beyond the "baseline" budget has not been estimated yet but will be determined during the Final Design phase for the station.

### **Park and Ride Funding Issues**

The Task Force recommended that TriMet add a second access to the park and ride due to safety concerns. The City's Transportation System Plan includes the planned Walnut/Ash Street extension collector. This potential route lies to the south of the park and ride (Attachment 3). The Ash Street extension may be one of the options to provide a second access to the park and ride.

It should be noted that the safety conditions of the TriMet station will have to be evaluated by the City as part of the permitting process to develop a transit facility. A transit facility in the CBD (Central Business District) zone requires conditional use approval. Conditional uses can be approved after a public hearing by the Hearings Officer. The Hearings Officer can approve, approve with conditions or deny an application. The Hearings Officer has 10 days from the decision to file a final order. This final order can be appealed to the City Council.

The transit facility will require an analysis of traffic conditions. Other major considerations would include impacts on all public facilities to make sure they have adequate capacity to serve the use and all zone requirements are met, including the requirements of site development review.

At this point, TriMet has not applied for a development permit. TriMet anticipates that the project will open in Fall 2005. To meet this schedule, TriMet would apply for the project's necessary land use permits later this year.

A preliminary traffic study done by a consultant hired by the City indicated that the impacts associated with the station development do not warrant the second access. The preliminary cost of the Ash Street extension (half street improvements plus right of way acquisition) prepared by Engineering oscillates around \$500,000. The City's Capital Improvement Program does not include funding for the portion of Ash Street that could be built as a potential second access.

Therefore, while a funding source is being sought, the park and ride final design will need to reflect the City's Transportation System Plan and preserve a future Ash Street connection/accessway in the plans.










### **Summary**

The City and Task Force will continue to work with TriMet regarding the final design and funding package for the Downtown Tigard station.

- The City will be a member of TriMet's Design Issues Group, which will convene liaisons from each jurisdiction to review the in-progress design and allow the City to have input throughout the design process.
- The City has a resident/Task Force member on the TriMet Commuter Rail Art Committee. This group will be working with the artists on individual station improvements.
- When TriMet submits its land-use application, the City will review the final design and examine requirements for safety measures, pedestrian connectivity, impact on transportation network, and compliance with all plans, including the Transportation System Plan.



# Downtown Tigard: Transportation System Plan (TSP) Designations

- Functional Classification System
-  ARTERIAL
  -  COLLECTOR
  -  FREEWAY
  -  NEIGHBORHOOD
  -  OTHER
- Planned TSP Routes
-  Neighborhood
  -  Arterial
  -  Collector
  -  Neighborhood

Please Note: No alignment has been determined for the Ash St Extension; this map shows its general vicinity. The project is unfunded and not part of the current Capital Improvement Program (CIP).

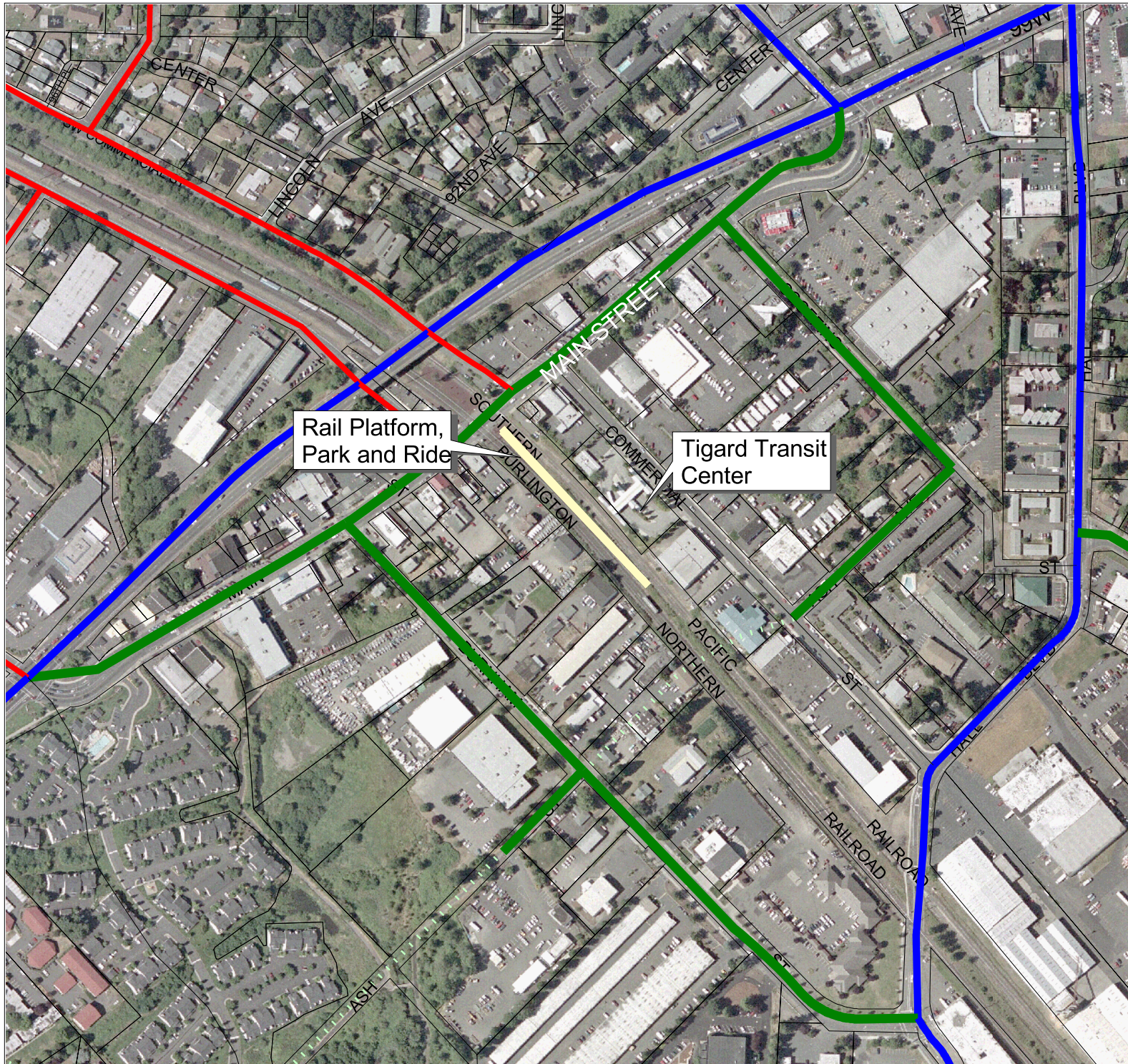


0 100 200 300 400 500 Feet

1"= 369 feet



Information on this map is for general location only and should be verified with the Development Services Division.  
13125 SW Hall Blvd  
Tigard, OR 97223  
(503) 639-4171  
<http://www.ci.tigard.or.us>





CITY OF TIGARD, OREGON

RESOLUTION NO. 02- 61

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT (IGA) WITH WASHINGTON COUNTY REGARDING THE TIGARD STATION-AREA DESIGN AND COORDINATION FOR COMMUTER RAIL.

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WHEREAS, in 1996 Tigard joined with Washington County, the cities of Beaverton, Tualatin, Wilsonville and Sherwood, and the Oregon Department of Transportation to study the feasibility of commuter rail along the freight rail line running between Beaverton and Wilsonville;

WHEREAS, in 1999 Washington County and the Federal Transit Administration (FTA) began conducting an alternatives analysis and an environmental assessment;

WHEREAS, both processes have been successfully concluded and the project is now seeking federal approval to begin final design;

WHEREAS, the City of Tigard will have commuter rail stations in Downtown Tigard and in the Washington Square Regional Center;

WHEREAS, the City of Tigard has supported the commuter rail project throughout the planning process;

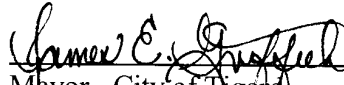
WHEREAS, Washington County is entering into an IGA with Tigard and all affected jurisdictions (Tualatin, Beaverton and Wilsonville) to allow better coordination and station design consistency between the cities and the County;

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

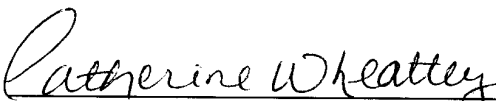
SECTION 1: Mayor Griffith is authorized to enter into an Intergovernmental Agreement (IGA) with Washington County regarding the Tigard-station area design and coordination for Commuter Rail, attached as Exhibit A to the Resolution.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This 24<sup>th</sup> day of October 2002.

  
\_\_\_\_\_  
Mayor - City of Tigard

ATTEST:

  
\_\_\_\_\_  
City Recorder - City of Tigard

\\TIG333\USR\DEPT\SLRPL\NBETH\DOWNTOWN\RESOLUTION 10 29 02 FOR IGA.DOC



**URBAN SERVICES INTERGOVERNMENTAL AGREEMENT**

**BETWEEN**

**THE CITY OF TIGARD, THE CITY OF TUALATIN, THE CITY OF BEAVERTON,  
THE CITY OF WILSONVILLE AND WASHINGTON COUNTY, OREGON**

**RECITALS**

1. This intergovernmental agreement, hereinafter Agreement, is entered into on the last date shown on the signature pages by City of Tigard, the City of Tualatin, the City of Beaverton and the City of Wilsonville, hereinafter "Cities," and Washington County, hereinafter "County," all political subdivisions of the State of Oregon; and
2. ORS 190.007 provides for the furthering of economy and efficiency in local government by intergovernmental cooperation.
3. The parties desire to enter into this Agreement for the purpose of allowing better coordination and design consistency between the Cities and the County in response to the design of station areas for the Washington County - Wilsonville to Beaverton Commuter Rail Project, hereinafter "Project".
4. The Project is defined in the Washington County Commuter Rail Preliminary Engineering documents prepared by URS Consultants and dated February 2002.
5. The Project includes physical improvements to be located in each of the Cities that will require local land use review and permitting. The Project will be more specifically defined during the final engineering and design phase.
6. Cities and County coordinated during the preliminary engineering and design phase of the Project to reach a consensus on the fundamental design features of the physical improvements of the Project. This consensus represents a common understanding between the Cities and County of the Project improvements to be constructed in the Cities and any potential impacts associated with the Project.
7. The parties have unanimously endorsed the Wilsonville to Beaverton Commuter Rail Project based on the anticipated benefits to the transportation system and support the final design and engineering efforts that will lead to construction of the project. The Wilsonville to Beaverton Commuter Rail Project is recognized and included in the Transportation System Plan of each City.
8. It would be to the benefit of the Cities and the County to coordinate planning and permit review for the development of the Project to insure that the Project provides similar station area improvements in each of the Cities based on a consistent set of Project design expectations.

9. It would be to the benefit of the Project to coordinate planning and permit review for the development of the Project to insure that extraordinary expenses do not result from the local review process that could impact the financial feasibility of the Project.

THE CITIES OF TUALATIN, TIGARD, BEAVERTON, WILSONVILLE, AND  
WASHINGTON COUNTY AGREE AS FOLLOWS:

I. AREA AFFECTED BY THIS AGREEMENT

The area affected by this Agreement is the Project property subject to local land use review and permitting by the Cities that is generally described as the Commuter Rail station areas, including station platforms, park-and-ride lots, operating base and related facilities. This property will be further defined as a result of the final engineering and design effort for the Project.

II. PROJECT DEVELOPMENT PRINCIPLES

- a. Insofar as practical, Cities shall be treated equally in terms of type and design of station area Project improvements within each of the Cities' jurisdictional boundaries. Station area Project improvements shall be consistent with a common set of design guidelines (as shown in Exhibit A) for station areas established by the Project. Project improvements may recognize design variations included in local design guidelines or standards. However, any incremental cost attributable to physical improvements or modifications that is greater than the cost in the design guidelines (Exhibit A), or as agreed to through the process set forth in III c. will be the financial responsibility of the permitting city.
- b. A Memorandum of Understanding (MOU) between the Commuter Rail Project Manager and the city designee will be prepared outlining the details for costs, construction, roles and responsibilities for station area and any off-site improvements. This MOU will be prepared and agreed to prior to filing a formal land use application with the applicable city.
- c. Efforts shall be made through coordination between the Cities and County to protect the Project from extraordinary expenses resulting from local land use reviews and approvals that may impact the financial feasibility of the Project.

III. DEVELOPMENT PROCESS

- a. County or its designee will be the applicant for all necessary land use applications for submittal to each City. The applicant shall pay all required application fees or as otherwise agreed.
- b. Land use applications submitted to each of the Cities will reflect the Project improvements based on the common understanding of the station area Project design and impacts shown in Exhibit A and including any variations or enhancements agreed to by the City and the Project. A Pre-Application Conference will be held with the particular permitting city prior to application submittal to review the project design and formalize this common understanding of Commuter Rail facility design within each City. The Pre-Application Conference will also identify permit

requirements and an estimated schedule for review of land use applications. During the local project review process, the City in which the application is being processed will assign a staff liaison to the Commuter Rail project who will act as the primary point of contact between that City and the permit applicant.

- c. During City's review of land use applications, design issues and/or impacts that extend beyond the Station Area Project Design Guidelines shall be immediately brought to the attention of the County or its designee. County or its designee and City shall meet to evaluate the effects of the City-initiated design changes on the design and financial feasibility of the Project. If design changes can be made that are consistent with the design guidelines of Exhibit A and the Project Development Principles (Section II) of this agreement, such changes shall be incorporated into the Project design and land use application.
- d. If a determination of consistency with the Exhibit A cannot be reached, the provisions of the Dispute Resolution section (Section IV) of this Agreement shall be followed.

#### IV. DISPUTE RESOLUTION

In case of a dispute over the provisions of this Agreement, the one or more Cities and County staff for each entity will immediately refer the dispute to the respective City Manager or Mayor and the County Administrator for resolution. If the City Manager or Mayor and the County Administrator cannot resolve the dispute within 30 days, it shall be forwarded to the Commuter Rail Steering Committee for resolution (the Commuter Rail Steering Committee is composed of elected representatives from the four cities, Washington County and the Tri-Met General Manager). If the Commuter Rail Steering Committee is unable to resolve the dispute within 30 days, the dispute shall be subject to binding arbitration under ORS 190.710-190.800 except that the parties can each select an arbitrator and those arbitrators shall select a third arbitrator. The third arbitrator shall hear the matter. Any decision resulting from this dispute resolution process shall not be a land use decision but may be incorporated into a final land-use decision by the City. The cost of the arbitrator shall be borne equally by the parties to the dispute. Each party shall be solely responsible for its cost of legal representation, if any.

#### V. NOTICE OF APPLICATIONS

Cities shall give notice to County or its designee of all claims, land use applications, hearings, decisions and any appeals of those decisions made under the authority of this Agreement. County or its designee shall forward to other signatories to this agreement copies of all claims, land use applications, hearings, decisions and any appeals of those decisions made under authority of this Agreement.

#### VI. TERM OF AGREEMENT

This Agreement shall be effective upon final signature and shall remain in effect for three (3) years. The Agreement may be extended for a subsequent two (2) year term upon mutual agreement of the parties. This Agreement may be terminated by any party upon ninety (90) days written notice to the other parties.

VII. COMPLIANCE WITH LAWS

Each party shall comply with all applicable federal, state and local ordinances, statutes, and regulations that are applicable to the services provided under this Agreement.

VIII. DEBT LIMITATION

This Agreement is expressly subject to the debt limitation of Oregon Counties as set forth in Article XI, Section 10 of the Oregon Constitution and is contingent upon funds being appropriated therefor.

IX. HOLD HARMLESS

Subject to the limitations of liability for public bodies set forth in the Oregon Tort Claims Act, ORS 30.260 to 30.300, and the Oregon Constitution, each party agrees to hold harmless, defend, and indemnify each other, including its officers, agents and employees, against all claims, demands, actions and suits (including all attorney fees and costs) arising from the indemnitor's performance of this Agreement where the loss or claim is attributable to the negligent acts or omissions of that party.

X. ASSIGNMENT

Each of the parties understand that the County shall have the right to assign this Agreement without the Cities consent to an entity that designs, constructs, and/or operates passenger rail service in this corridor.

XI. MODIFICATION

Modifications to this Agreement are valid only if made in writing and signed by all parties. This writing is intended as the final expression of the agreement between the parties with respect to the terms and as a complete and exclusive statement of the terms of the Agreement.

In WITNESS THEREOF, the parties have executed this Intergovernmental Agreement on the date set below their signatures.

**WASHINGTON COUNTY, OREGON**

By: \_\_\_\_\_  
Tom Brian, Chair  
Washington County  
Board of Commissioners

Date: \_\_\_\_\_

Approved as to form:

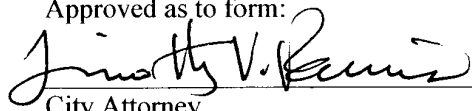
\_\_\_\_\_  
County Counsel

**CITY OF TIGARD, OREGON**

By:  \_\_\_\_\_  
Jim Griffith, Mayor  
City of Tigard

Date: October 29, 2002

Approved as to form:

 \_\_\_\_\_  
City Attorney